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Indian Slavery in 16th Century New Spain:

The Politics and Power of Bondage, 1519-1600

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Indian Slavery in 16th Century New Spain:
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by

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Indian Slavery in 16th Century New Spain:

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This Master's Report explores how in the 16th century, Spaniards manufactured a war for profit. The Chichimec War they created depended on the continuance of slavery. Since their arrival in New Spain, they influenced the writing and application of law in the colony. A policy-making relationship developed between bureaucrats, entrepreneurs, and those responsible for the implementation of decrees. Bondage as the background to topics, such as war, natives, religion, law, and economy, is useful because it allows for these tropes of history to interact in significantly original ways. The analytical edge of this report is to trace how native slavery developed, and this is done by juxtaposing the general thrust of laws for and against slavery, against the up and downs of wars versus natives, some of which became subsumed under the rubric Chichimec War. This story is another example of Indian slavery complicating accepted narratives, and wedges itself into the recent narrative and themes presented by the historians of Indian slavery.

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In 1590, before Álvaro Manrique de Zúñiga left his office as the seventh viceroy of New Spain, he delivered a letter to Luis de Velasco II, who would be his successor:

> The matter that required most attention in this land was the war against the Chichimecas. Even though I knew from the time of my arrival here that the Spaniards participating in this war were also the cause of it, I received so many contrary opinions that I was obliged to ignore my own. Thus, this war had to continue as under my predecessors until my own experience showed me that the very soldiers who were squandering their salaries were the ones making the war, irritating the Indians and provoking them to hostility.[1]

During his five-year period as Viceroy, Manrique wrote a similar letter to the King:

> The people of this land are such that they greatly enjoy giving forth their opinions, which can be counted for little because no opinion is given except those that are guided by self-interest. Thus, it is that on any one subject, among fifty opinions rendered, no two are alike, and this causes tremendous confusion.[2]

Manrique accused a group of colonial residents of conducting a war under false pretenses and the perpetuation of war for profit and personal gain. This essay will trace the fabrication of the Chichimec War and the development of Indian slavery laws, and demonstrate how members of supreme judicial tribunals, land-owning elites, and soldiers and conquistadors, were a faction. Together they created a colonial version of an iron triangle, in which politicians, soldiers, and industry, built a self-reinforcing power

[1]Traslado del memorial que el Marques de Villamanrique envio al virrey don Luis de Velasco desde Texcoco en 14 de Febrero de 1590 anos," AGI, 58-3-15, AT. Reprinted in Carrillo Cázares, A. (2000). *El Debate Sobre la Guerra Chichimeca, 1531-1585: Derecho y Política en Nueva España.* San Luis Potosí: El Colegio de San Luis Potosí. Pg 674-676.
[2] Ibid.

structure and policy-making relationship."[3] This group, that Manrique condemned and prosecuted in the courts, oftentimes conflated, and members of the judicial tribunals, were not only land owning elites, but also led and hired slaving parties. With their influence, they pro-actively demonized and propagated the idea of a Chichimeca power that Spaniards should fear, to ensure the continued flow of free native labor.

Historiography

The topic of Indian slavery received attention in 1913, when Almon Lauber published the classic, *Indian Slavery in Colonial Times*.[4] The argument established by Lauber, and repeated many times since, explained that colonizers preferred African slaves to their indigenous counterparts. This he argued by analyzing the colonists' observations of four main issues: Indians' bodies and culture, disease, and European security. Lauber argued that the colonizers perceived them as sickly, weak, and not capable of performing the strenuous labor required in plantations and mines. The British and Spanish believed native culture accounted for the Indians' averseness to performing work for others. Disease and war had almost decimated the indigenous populations and thus provided only a small labor pool. Finally, the enslaved natives could escape too easily, leaving the captor open to their retribution. This argument led to the repeated idea that early settlers of the New World believed natives made bad workers.

In contrast to Lauber's work, Silvio Zavala's, *Los Esclavos Indios en la Nueva España*, demonstrated the importance of Indian slaves in the labor force of Spanish

[3] Pulitzer, Ralph. *Forces at War In Peace Conclave*: New York Times. Jan 18. 1919.
[4] Lauber, Almon W., Indian Slavery in Colonial Times within the Limits of the Present United States. New York: Columbia University. 1913. 25-34.

America.[5] Written in 1935, Zavala's monograph provided an institutional view of Indian slavery throughout New Spain from the 16th to the 19th century. Although Zavala focused on the evolution of labor systems in the Spanish empire, he saw his work as indispensable to the story of Indian-Spanish relations. His archival research provided a new view, and he hoped others would continue his work. Unfortunately, the few historians that could have pursued the topic further, Bakewell, Powell, Leon Portilla, among others, simply cited Zavala in the few paragraphs they dedicated to the issue in their monographs.[6]

Notwithstanding Zavala's work, historians decided to follow Lauber, and dismissed the significance of Indian slavery. As a result, during the 20th century, the topic of slavery remained focused on the African-American experience. In 1968, Winthrop D. Jordan's *White Over Black,* argued that native bondage "never became an important institution in the colonies," because of the English tendencies to choose blacks over native for slaves.[7] Similarly, Elliot's much lauded and recently published *Empires of the Atlantic World,* a comparative study of Spanish and British America empires, echoed Winthrop and Lauber, claiming the captivity of the indigenous population was unimportant as a source of labor in both colonization projects.[8] Likewise, Robin Blackburn and Ira Berlin dismissed it, saying African-American bondage quickly

[5] Zavala, Silvio A., *Los Esclavos indios en la Nueva España.* Mexico D.F.: Colegio Nacional. 1935.
[6] Powell. Soldiers, Indians, Silver. Bakewell, Robert. *Silver Mining and Society in Colonial Mexico, Zacatecas 1546-1700*. Cambridge University Press. 2002. Leon-Portilla, Miquel. *La Flecha en el Blanco*. 1995. Editorial Diana: Mexico D.F.
[7] Winthrop, Jordan. D., *White Over Black: American Attitudes Toward the Negro, 1550-1812*. Chapel Hill: N.C. 1967. 162-163, 239-240.
[8] Elliot, John. H. *Empires of the Atlantic World: Britain and Spain in America*, 1492-1830. New Haven: Yale University Press. 2006. 15-20.

overtook it.[9]

During the last decade, North American historians have begun to question the long-standing words of Lauber, by researching and publishing on the topic of native bondage to great effect and applause. In 2003, both Allan Gallay and James F. Brooks wrote prize-winning monographs that deal specifically with the Indian slave trade in North America. Brooks' *Captives and Cousins*, showed how their communities in the American Southwest manipulated and reworked social networks, using captivity and marriage to maintain some degree of freedom from both Spanish and English explorers throughout the 18th and 19th centuries.[10] Similarly, Allan Gallay's *The Indian Slave Trade*, which focused on the British Carolinas, showed how the Tuscarora found complex ways to keep threats to their independence and cultural autonomy at bay, by integrating themselves into, and exploiting the Indian slave trade to Barbados in the 17th century.[11]

Gallay and Brooks successfully showed how themes of ethnic identities, constructions of race and culture, and colonial economic development, could be further explored through the study of Indian slaves. Regionally focused studies such as that of Gallay give a more accurate sense of the scope of the Anglo-Indian slave trade and its impact on colonial economic expansion. Gallay convincingly argues that prior to 1715, the Englishmen in the Carolina's exported approximately 50,000 Indian slaves to the Caribbean. He establishes how the number of natives the colonies exported, dwarfed the

[9] Berlin, Ira. *Many Thousands Gone: The First Two Centuries of Slavery in North America.* Cambridge, Mass.: Belknap Press of Harvard. 1998. Blackburn, Robin. *Making of New World Slavery in North America*. London; New York: Verso. 1997.
[10] Brooks, James F. *Captives and Cousins: Slavery, Kinship, and Community in the Southwest Borderlands*. Chapel Hill: The University of North Carolina Press. 2003.
[11] Gallay, Alan. *The Indian Slave Trade: The Rise of the English Empire in the American South, 1670-1717*. New Haven: Yale University Press. 2003. 8-13.

amount of blacks the colonies imported at the time. The estimates of the capital accumulation represented by Indian slaves sold to the West Indies are but a piece that is missing from the history of the development of commercial economies in the colonies.

Continuing the trend in interest on the subject, Joyce E. Chaplin, recently argued the importance of the study of Indian slaves for the completion of a coherent narrative of American history.[12] Citing the natives' bondage as the first American slavery and emphasizing the many questions that the pursuit of its study could answer, Chaplin argues that if "colonial history is marked by the tension between slavery and freedom, ignoring the Indian experiences of these statuses leaves an enormous gap in the story." She laments that the public and scholars alike, understand the general history of servitude to mean the history of the subjugation of African and African-Americans and that the key moments for the definition and dissolution of this form of oppression remain tied to the fates of conquered Africans. Chaplin asks what part of the humanitarian discourse on the proper treatment of black slaves by colonists, might have been a continuation of the same debate that occurred regarding the natives. Specifically, she wonders if there exists a link in the line of colonial discourse from native emancipation to black emancipation.

In the same way, in *Slavery in Indian Country*, Christina Snyder traced the history of Indian practices of slavery among the Chickasaws of Mississippi. She identified a connection between the evolution of pre-Columbian indigenous captivity, and the creation of an "Indian" identity among the Chickasaws. According to Snyder, the Chickasaw's success at adapting their long held traditions of captivity to the European

[12] Chaplin, Joyce E., Enslavement of Indians in Early America: Captivity Without the Narrative. *The Creation of the British Atlantic World.* Baltimore: Johns Hopkins University Press, 2005. 45-70.

slave trade forced them to reconstruct their racial relationships with other natives.[13]

In sum, Gallay, Brooks, Chaplin, Snyder, among others, have provided persuasive arguments in favor of further research into the topic. Many of these authors have pushed for a broader emphasis on Indian slavery, and contributed essays to one of the most recent publications on the subject. Allan Gallay served as editor of the anthology, *Indian Slavery in Colonial America*.[14] The collection explores the development of native bondage, its impact on colonial societies, the variety of experiences dictated by geographical location, and the experience of the individual. Despite the range in topics and locations studied, the volume makes clear that native bondage is central to the history of North America. It demonstrates how the analysis of this topic adds new perspective to a host of larger stories, the loss of land and sovereignty by native groups, the entry of Indians into the international market economy, and the evolution of native polities and social systems.[15]

In turn, this essay comes out of the new wave of scholarship, yet continues the narrative first explored by Zavala. Although Gallay and other historians enriched the study of Indian slavery within English colonies, the Spanish empire has not received equal attention. The bulk of sources for this article come from collections in the Benson Library at the University of Texas, the National Archive in Mexico City, and the online

[13] Snyder, Christina. *Slavery in Indian Country: The Changing Face of Captivity in Early America*. Cambridge: Harvard Univeristy Press, 2010.
[14] *Indian Slavery in Colonial America.* Ed. Gallay, Alan. Lincoln: University of Nebraska Press, 2010.
[15] Ibid., 110.

resources of the General Archive of the Indies in Seville, Spain.[16] The bulk of manuscripts used, are correspondence between the Council of the Indies, and the governing body of New Spain. The essay also makes use of personal letters, journals, investigative reports, court records, royal decrees, wills, colonial publications, and military orders. Additionally, the research for this essay relied heavily on a body of writings prepared during meetings of the religious orders that were present in New Spain. These ecclesiastical meetings provided a forum for discourse regarding American issues, among them Indian slavery.

Because heavy reliance on a Spanish perspective can create a bias in research, the essay also uses Indian-made sources. Although limited in number, native accounts of exploitation exist in court documents, and provide a different perspective of the events detailed by Spaniards. Similarly, I consulted accounts from Indian allies that aided the conquistadors in the slave trade. Indigenous scholars and court scribes recorded the stories of the friendly natives, in historical accounts and in court proceedings.

The analytical edge of this thesis is to trace how native slavery developed, and this is done by juxtaposing the general thrust of laws for and against slavery, against the up and downs of wars versus natives, some of which became subsumed under the rubric Chichimec War. The essay demonstrates how a way to see this development is to trace the history of native slavery in conjunction with native warring factions that grouped as Chichimec.

[16] The Benson Library is located in Austin, Texas. The National Archive in Mexico City refers to the A.G.N.,(Archivo General de la Nacion). The General Archive of the Indies is the Archivo General de Indias.

The essay follows a chronological order that traces the development of royal policy toward slavery, beginning with the Spanish arrival in 1519, and ending with the conclusion of the war in 1595. The essay consists of two parts, the first deals with the background of native bondage and who the northern Indians were. The second half deals with the outbreak of violence and the war itself. The division is due to major changes that occurred shortly after 1550, which affected the Crown's policies of slavery. In 1550, Charles V implemented a set of laws that guaranteed the natives' liberty, his son then ascended the throne, and violence began to escalate between Indian and Spaniard.

In addition, within these sections, there exist subdivisions that indicate changes in the administrative structure of the colony. This is helpful organization because changes in Viceroys, Kings, and forms of administration, reflect continuities and changes in policy. This framework facilitates the identification of the connection between changes in law and changes in violence and aggression between native and Spaniard.

Together I use these sources and structure to demonstrate how in the 16th century, Spaniards manufactured a war for profit. The Chichimec War they created depended on the continuance of slavery. Since their arrival in New Spain, they influenced the writing and application of law in the colony. A policy-making relationship developed between bureaucrats, entrepreneurs, and those responsible for the implementation of decrees. Bondage as the background to topics, such as war, natives, religion, law, and economy, is useful because it allows for these tropes of history to interact in significantly original ways. This story is another example of Indian slavery complicating accepted narratives,

and wedges itself into the recent narrative and themes presented by the aforementioned historians of Indian slavery.

The Chichimeca and Beginnings of Indian Slavery

The events leading up to the fabrication of the Chichimeca threat and the subsequent war has its beginnings in an Indian rebellion in 1542. Twenty years after the fall of the Aztec capital of Tenochtitlan in 1521, the Spanish conquerors led by Hernán Cortés continued their search for riches in the lands of New Spain. Although their power extended to approximately twenty percent of what is now Mexico, the Spaniards constantly journeyed into the unexplored northern territories in search of riches. In such exploits was the expedition by Francisco Vázquez de Coronado, who in 1540 left the safety of settled central Mexican cities in search of Cíbola, the fabled city of gold.[17] Coronado travelled over a thousand miles before returning in 1542, to news that an Indian rebellion was threatening to engulf the colony. The uprising that forced his return was the result of similar exploratory incursions by another conquistador, Nuño Beltrán de Guzmán.[18]

Spaniards' viciousness against natives caused the Mixton Rebellion in 1540 and involved a confederation of nomadic tribes that fought against Spanish incursions into modern day Zacatecas. Despite several Indian victories, the Spanish mercenaries that

[17] For information on Coronado's expedition, see Herbert E. Bolton's *Coronado: Knight of Pueblos and Plains, Rim of Christendom, and The Spanish Borderlands: A Chronicle of Old Florida and the Southwest. George P. Hammond's Coronado's Seven Cities, The Adventure of Don Francisco Vásquez de Coronado, and Narratives of the Coronado Expedition 1540-1542.* One of the most recent and complete publications is the translation of Pedro E. Castañedas' *The Journey of Coronad.*

[18] For the Spanish account of the conquest of Jalisco see: La Conquista de Jalisco, por Fray Jerónimo de Alcalá. Cómo vino Nuño de Guzmán a Conquistar a Xalisco y cómo Hizo Quemar el Cazonci. 1540. For the native description of events see:Tenamaztle, F. (1959). *Relación de Agravios Hechos por Nuño de Guzmán y sus Huestes a Don Francisco Tenamatzle.* México.

accompanied Viceroy Mendoza defeated the natives. It is significant because it kicked off a wave of violence that characterized future northward expansion, and introduced the colonists to the various tribes that they would come to label Chichimec. [19]

Despite lasting only two years, the rebellion marked the beginning of a second conquest. For some Spaniards this was a battle to expand northward and bring to fruition the promise of immense riches, and for the Indian, it was a struggle to retain his way of life. While the first invasion of 1519 took only two years to consolidate, the second conquest never ended. The reasons behind the prolonged period of warfare are many, among them the vastness of the territory that the Spaniards sought to bring under their control, and more notably, the enemy that they faced. The conquistadors had not encountered a group so different from the Aztecs, Tlaxcalans, Otomies, and others in central Mexico.

The Nahuas of central Mexico called the wandering tribes of the north, Chichimecas, and the Spanish explorers adopted the name.[20] The term itself came from the Nahua word *Chīchīmēcatl,* which the indigenous population used to describe both the inhabitants of the north, as well as their own ancestors.[21] While the term was derogatory and meant "dirty, uncivilized dog", it also carried the connotation of "noble savage." The first pioneers that encountered the warriors of the north made note of their barbarism,

[19] One of the earliest and very general histories written about the Chichimec War using extensive archival research: Powell, P. W. (1969). *Soldiers, Indians, & Silver: The Northward Advance of New Spain, 1550-1600.* Berkeley: University of California Press. A detailed history of the beginnings of the Chichimec War and the Mixton Rebellion can be found in: López-Portillo y Weber, J. (1975). *La Rebelión de Nueva Galicia.* México. Miguel León-Portilla's *La Flecha en el Blanco* provides a very nuanced look into the legal battle of Caxcan leader Francisco Tenamaxtle, leader of the Mixton Rebellion, from his incarceration in Valladolid, Spain.

[20] Karttunen, Frances (1983). *An Analytical Dictionary of Nahuatl*. Austin: University of Texas Press. Pg 37.

[21] Gradie, Charlotte M. (1994). "Discovering the Chichimeca". *Americas* **51** (1): pp.67–88.

their nomadic way of life, and the stark differences between them and the other natives they had encountered in the central core.[22] The Chichimecas lacked a high level of social integration, and did not identify itself as a single group. Out of the many different tribes that composed the "Chichimecas," the four primary groups were the Zacatecos, Guachichiles, Caxcanes, and Guamares. In 1526, Hernán Cortés wrote about the possibility of using them as slaves:

> "Between the northern coast and the Province of Mechoacan[sic] there is a certain tribe called Chichimecas. They are a very barbarous people, and not so intelligent as those of these provinces…By making slaves of these barbarians, who are almost savages, Your Majesty will be served, and the Spaniards greatly benefitted, as they will dig for gold, and perhaps through contact with us, some of them may save their souls.[23]"

Cortés would not be alone in recognizing the potential profit that the enslavement of the northern Indians represented. However, Indian slavery in the Americas did not begin with the Chichimecas, since Spaniards had taken the natives as slaves since their arrival.

1519-1525| Military Government

While the Chichimec is central to the history of native bondage in New Spain, the practice began in Veracruz in 1519. Before embarking on the conquest of Mexico, Hernán Cortés sent a letter to Spain, in which he asked for permission to capture, enslave,

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[22] From the 5th letter Cortes sent to the King, signed September 3, 1526. Cortes, Hernan. *Letters of Cortes: The Five Letters of Relation from Fernando Cortes to the Emperor Charles V.* ed. MacNutt, Francis Augustus.
Published by G.P. Putnam, 1908. Pg. 353
[23] Ibid.

and distribute Indians amongst the conquistadors. He claimed it was necessary because many would not submit themselves to Catholicism or the King, and because such a practice was customary in "…the lands of the infidels, because it is just."[24] The anticipated resistance and the opportunity for the enslavement of natives came early in the conquistadors' encounters with the indigenous population, and participants of the conquest, recorded the first instances of Indian slavery in New Spain.[25]

The account by Bernal Diaz, who accompanied Hernán Cortés and witnessed the fall of the Aztec capitol of Tenochtitlán, offers a glimpse into the organization and operation of war and the distribution of slaves. After Spaniards apprehended Indians, they took them to camps where they branded and assessed the value of the captives. The soldiers estimated the worth of the prisoner to gauge the amount of tax they owed to the King, since the law required they pay a fifth of the worth to the Crown, with another fifth owed to Cortés himself.[26] Besides the monetary tax, the royal fifth that was due also included a fifth of all Indians captured. The mercenaries enslaved women, children, and men, regardless of age, and sold them at makeshift auctions in the encampments. The business could be slow, and the captors often held the natives in bondage for months at a time, until they sold or traded them amongst themselves.[27]

Additionally, the conquistadors justified the enslavement of the indigenous savage in four ways. The soldiers claimed it was indispensable because it stopped Indians from

[24] Chamberlain, Robert S. "Two Unpublished Documents of Hernán Cortés and New Spain, 1519 and 1524 ." *Hispanic American Historical Review*, 1938: 528.
[25] Tello, Antonio. *Cronica Miscelanea.* Vol. II. Guadalajara: Editorial Font, 1942. 280.
[26] Quinto Real – Recopilacion book VIII, chapter X – This was imposed by Cortes and caused protests among the Conquistadors.
[27] Díaz del Castillo, Bernal. *Historia Verdadera de la Conquista de la Nueva España.* Madrid: Espasa-Calpe, 1928.

killing them, and because they needed to subdue rebellions. In addition, it was their obligation to save the natives from cannibalism. Finally, it was necessary because it would scare other natives into obedience.[28]

The beginning of the institutionalization of native bondage in law came four years after the arrival of the Spaniards, when in June of 1523, the monarch addressed the issue in its new territory for the first time. A letter the King sent to Cortés banned the use of *encomiendas*, tribute Spaniards exacted from natives in the form of labor, because of the drastic results the practice had on the population of Indians in the island of Española. The dispatch also made clear that colonizers had to let Indian slaves "…live freely like vassals live in the kingdom of Castile…" and release those they had already captured.[29]

The freedom that Charles V extended to the indigenous people came with an exception. He granted Cortés the right to enslave natives if they failed to submit to the conquistadors after a representative of the King had read the Indians the *requerimientos*, a formal declaration of war, outside of villages.[30] Although the emperor sanctioned the trafficking of natives in New Spain with his letter to Cortés, he also cautioned him to be wary of those that would seek to abuse the clause that permitted it through "just war." The sovereign believed the soldiers would instigate battles, so they could legally place the Indians in bondage. The Crown clearly recognized the dangers the subjugation of the local population posed and was genuinely interested in protecting them from the very men that sought to conquer foreign lands in its name.

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[28] Cortés, Hernán."Cuarta Carta de Relacion." *Cartas de Relacion.* Tenochtitlan, October 15, 1524.
[29] Carlos-V. "Instrucciones de Carlos V a Hernándo Cortes sobre tratamiento de los indios." In *Documentos Cortesianos*, edited by José L. Martínez, 265-271. México: Fondo de Cultura Económica, 1990.
[30] Laws of Burgos 1512.

Despite the King's interest in protecting the natives, his foresight could not prepare him for the indigenous practices of slavery that pre-dated the Spanish arrival. "Just war" was not the only means of acquiring slaves available to the colonizers; another option was the *rescate* or rescue of natives. Those that fell under this category were already the property of an indigenous master, and when their owner had endangered their lives through threat of sacrifice or mistreatment, soldiers could "rescue" the captives through purchase. The conquistador, Bernal Diaz wrote about this system of acquisition and described how he often found Indian slaves in groups of fifteen or more, tied together at the neck and for sale in market places.[31] The *rescate* of natives is key because unlike the idea of "just war," which was an application of Iberian law that Spain used during the retaking of the Iberian Peninsula from the Moors, it was an American development. The concept of the rescue of Indians on the other hand, developed through the colonizers' understanding of indigenous pre-contact traditions of slavery and tribute.

Consequently, because of the varying forms of slavery that existed, and the large number of natives in bondage, confusion soon developed over which natives conquistadors had purchased, and those that they obtained through war. To avoid confusion, in 1523 the emperor authorized the branding of slaves. The King's men were to use two different symbols on the faces of their captives, to distinguish the means through which they acquired them.[32]

[31] Díaz del Castillo, Bernal. *Historia Verdadera de la Conquista de la Nueva España.* Madrid: Espasa-Calpe, 1928.
[32] Cabildo de la Ciudad de Mexico. *Carta a Hernán Cortes.* Vol. I, in *Actas de Cabildo de la Ciudad de Mexico*. Mexico: Municipio Libre.

FIGURE 1: Slave branding symbols.

Although the Spaniards had various means of obtaining slaves, they along with King had to justify such treatment. The conquistadors argued it would help stop violent native resistance and Charles V believed it would save the lives of those whose Indian masters mistreat them. In addition, there is evidence that monetary gain was also a factor. In 1525, the King ordered Luis Ponce de Leon, who was conducting a judicial inquiry in New Spain, to investigate the viability of Indian slaves in the colony's gold mines.[33] The instructions confirm the sovereign's interest to make use of their labor, and could signify an interest in the perpetuation of the practice based on money. The constant preoccupation of the monarch and the colonizers to the adherence of the aforementioned royal fifth is another way in which bondage was profitable.[34] Although it goes unwritten in the legislation, because of the fifth owed to him, Charles V stood to profit from the enterprise.

1526-1530 | Primer Real Audiencia

Because Spaniards had established valid justifications for the enslavement of the native, the practice became rampant, and Charles V reacted in 1526. Reports of

[33] *Instrucciones Dadas al Licenciado Luis Ponce de Leon.* Vol. IX, in *Colección de Documentos Ineditos Relativos al Descubrimiento: Conquista y Organizacion de las Antiguas Posesiones Españolas de Ultramar*, 214-222. Madrid: Real Academia de la Historia, 1895. 221-222
[34] Quinto Real.

notorious abuse of both free and enslaved Indians in mines indicated that colonizers had already been making use of them for economic gain.[35] The monarch responded by sending a letter that outlined the forms of labor Indian slaves would perform, jobs that included mining for gold, personal service as servants within homes, and working at fisheries. The same letter also condemned the widespread depopulation of native villages, which Charles V blamed on the unjust captivity of many natives at the hand of the conquistadors, as well as the flight of many natives into the mountainsides.

Coincidentally, that same year, the King instituted the first formal administrative structure of New Spain. It replaced, and took power away from conquistadors that had been designated governors. Control then fell in the hands of the president of the *Real Audiencia,* a supreme judicial tribunal. Meant to rein in the power of the conquistadors, the appointment of a conquistador as the president proved detrimental to Charles V's plans.

The emperor was concerned with the magnitude of the problem and attempted to regulate the slave trade in New Spain, but more specifically, to restrain the human trafficking operations of many conquistadors. In 1526, he required that the governor and his officials be present during the registering of Indians in bondage.[36] This was to ensure the proper use of the iron brand, which he believed the soldiers had abused, by marking free people.[37] Before this change in policy, the legislation had entrusted three men "…of good conscience," who were responsible for their safekeeping and proper use. The three

[35] Ibid., 268-280.
[36] Bernal Diaz explains that the brands were to be kept by the *alcalde*, a *regidor*, and a *beneficiado*. Díaz del Castillo, B. (1928). *Historia Verdadera de la Conquista de la Nueva España.* Madrid: Espasa-Calpe. 511-512.
[37] Ibid.

men were also responsible in ensuring no Spaniard imprint a free person.

In addition, the person seeking to have a native registered, now had to prove that he had rescued or captured him in war. The law also outlined specific punishments for participants in the illegal trade. Men found guilty of owning unregistered men were to face the death penalty, while those that had participated in the exportation of Indians out of New Spain, could lose their possessions to the Crown.[38] Lastly, the city of Mexico began hiring men to capture runaways and in 1527 appointed an official who would oversee the operation of returning them to their owners.[39] Further cementing the practice in the colony, the same document set the monetary value of the indigenous slave, as well as those of blacks and animals.[40]

The King's revision of the regulations was for the most part ineffective in stopping the conquistadors from continuing their exploitation. Resistance to the royal decrees concerning the governance of Indian slavery seems to have been present early in the colony's development. Cases such as those of Nuño de Guzman and Hernán Cortés demonstrate the disregard with which the colonizers treated the decrees and the ways in which the conquistadors' dereliction went unpunished. In 1526, Nuño de Guzman, governor of Panuco, informed the courts that he had sent 4,000 native slaves to the Caribbean, because he wanted to trade them for horses and cattle. He claimed to have rescued them from the cannibalistic rituals of some of their masters in the region and to save them from their assured death in Mexico City, where the natives would have died

[38] Encinas, D. d. (1596). *Provisiones, Cedulas, Capitvlos de Ordenancas, Instruciones y Cartas.* Madrid: Imprenta real. 362. And CDIU IX 268-280.
[39] Actas del Cabildo I, 29, 114.
[40] Ibid.

due the change in weather.[41] Similarly, in 1529, the Royal Tribunal of Mexico investigated allegations that soldiers brought against Hernán Cortés. His involvements in the illegal capture and trade of slaves went unpunished by the courts.

Despite making progress in developing a comprehensive policy for slavery, ten after the conquest, the King did not have control over the trade. A lack of recourse in seeing his orders carried out, administrative chaos, and his reliance on mercenary conquistadors, all account for Charles V's failure. Perhaps as a response to his inability to change the situation in New Spain, or out of pressure from the ecclesiastical orders who constantly informed him of the illicit circumvention of the laws by the conquistadors, Charles V appointed the Bishop of Mexico, Juan de Zumárraga the "Protector of Indians," in 1528.[42]

A main concern for Zumárraga was the abuse of the concept of the rescue of the natives. His description of the process in a letter to the king helps clarify why the illegal trade continued to flourish during this period. Zumárraga's letter explained that the rescue of Indians happened only with the approval of the president of New Spain's Royal Tribunal, Nuño Beltran de Guzman. The consent came in the form of licenses that detailed how many natives the licensee could capture and from what locality. According to the bishop, the selling of the licenses was out of control both because Guzman auctioned the licenses to the highest bidding conquistador and because of the large quantity of licenses sold. Zumárraga explained that during such lawful capture, the

[41] Saco, J. A. (1932). *Historia de la Esclavitud de los Indios en el Nuevo Mundo Seguida de la Historia de los Repartimientos y Encomiendas.* (Vol. II) Habana: Cultural.
[42] Miller, Hubert J. *Juan de Zumarraga: First Bishop of Mexico.* Edinburg: New Santander Press, 1973.

mercenaries also enslaved many free people.

His description of the situation speaks to the rampant corruption that permeated the positions of officials who controlled the branding irons. Zumárraga informed Charles V that in the first year of his presidency, Guzman dispensed approximately 1,500 rescue licenses, most of which Zumárraga claimed the president gave to his friends, and those of the Royal Tribunal. Additionally, he explained that after acquiring a license, the conquistadors paid mercenaries with licenses instead of money.[43] This created a continuous cycle of trade in which to obtain slaves, one gave others the right to own slaves themselves.

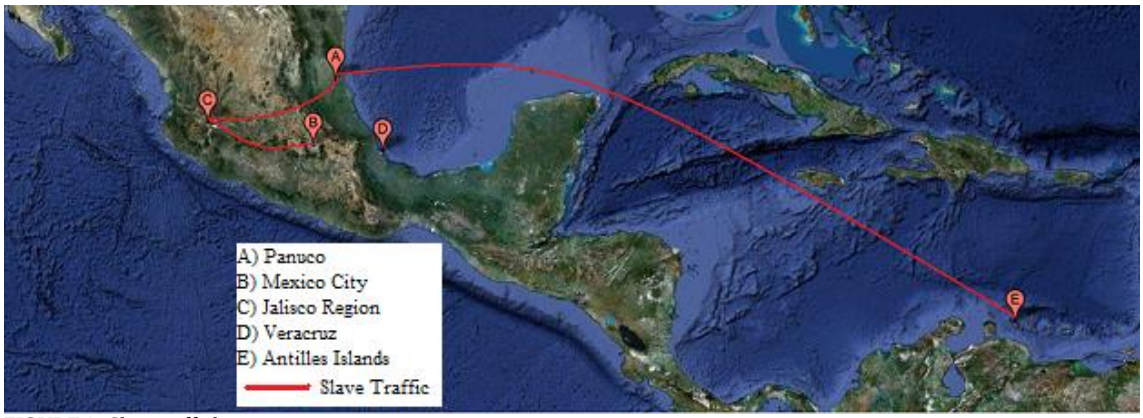

FIGURE 2: Slave trafficking routes.

Corruption, patronage, the lack of proper infrastructure, and the political instability caused by the power struggle between Cortés and the conquistadors, created an environment in which the colonizers had free rein to pursue the enslavement of the natives and not ignore the inherent profitability of the illegal trade.[44] The power of the conquistador administrators did not end with Zumárraga's appointment, or with his scalding reports to the Crown of the mistreatment and abuse of the slave laws. There was

[43] Letter is reproduced in Joaquin Garcia Icazbalcet's *Biografía de Juan de Zumárraga, Primer Obispo y Arzobispo de Méjico.* Madrid: M. Aguilar, 1929. Apendix.
[44] Cortés, Hernán. Quinta Carta de Relacion. *Cartas de Relación.* Madrid: Historia 16, 1985.

instead a crescendo in the intensity of incursions, at the onset of 1530, when exploratory incursions began to the west of Mexico City, to the modern day state of Jalisco.

1530-1534 | Segunda Real Audiencia

In August of 1530, the back and forth between the King and the conquistadors reached their peak. A staggering blow to the illegal enterprise, as well as the legal institution of slavery itself, came in the form of instructions to the royal justices of the tribunal for an almost complete reform of policy. Reversing its stance on the issue, the Crown ordered that no Spaniard could enslave a native whether through just war or rescue. This reversal coincided with the sovereign's appointment of a new governing body in the colony, after failure of the first *audiencia*. In contrast the new members of the *audiencia*, were educated, some like Zumárraga were lawyers, while the previous judges had been conquistadors.

In an attempt to abolish Indian slavery altogether, Charles V ordered an investigation into the laws and customs that dictated slavery within the indigenous communities, and gave the tribunal the power to proceed as they saw fit after the investigation.[45] Furthermore, the instructions asked that colonizers make restitution to those they took under false pretenses. The revision revoked all rescue licenses previously issued, outlawed captivity through "just war," and ordered that officials register all slaves, so they could identify them, and to ensure the practice ended.[46] Since in the years that followed, the Crown constantly reiterated the laws pertinent to the reform, it is likely

[45] Puga, Vasco de. *Cedulario de la Nueva España*. Ciudad de México: Centro de Estudios de Historia de México, 1985. 157.
[46] Ibid., 231.

that they were ineffective or not fully implemented. Still, the King's commitment to this policy change was further entrenched in 1532, when he prohibited branding.[47]

The impact of Charles V's sweeping changes appears to have varied based on geographical location, more specifically the proximity of governmental authorities that could ensure the implementation of policy. The complaints from colonials to bureaucrats of Mexico City and the Crown make evident the clear and swift effect of the King's shift in policy. The administrators of the colony properly implemented the reforms in central Mexico by breaking the system the Crown developed only years earlier.

Specifically, central to the collapse of Indian slavery as an institution in the capital, was the Crown's removal of the position of the official responsible for overseeing the work of the *recogedores*, the men who returned fugitive natives to their masters.[48] The rapidity with which the monarch ordered the creation of these figures early in the colonization, and the immediate outcry from colonial residents at the abolition of the position, point to the essential role the fugitive hunters played. Twice within two years of the King's decree, the *cabildo,* or city council, of the capital asked the tribunal to reinstate the slave hunters, because enslaves Indians understood the position had been removed and made them more likely to flee.[49] The members of the city council in Mexico City were not the alone in their rejection of the King's new policies.

The conquistadors that were exploring the borderlands responded defiantly to the King. Nuño Beltran de Guzman best explains their thoughts on the new laws in 1532:

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[47] *Colección de Documentos Ineditos Relativos al Descubrimiento: Conquista y Organizacion de las Antiguas Posesiones Españolas de Ultramar*, Vol X. Madrid: Real Academia de la Historia, 1895. 55.
[48] Actas del Cabildo de la Ciudad de Mexico. II, 128.
[49] Ibid.

"…in essence, what His Majesty asks is for there to be law, before there be towns."[50] While Guzman was notorious for his mistreatment of natives, his response was that of a conquistador, it provides insight into why Charles V's new policy was inherently absurd to the mercenaries. The irrationality that Guzman spoke of centered on the inability to carry out the conquest without the availability of indigenous slaves, due to the new rules of engagement.

> With what does Your Majesty want for them [soldiers] to buy their horse which they [Indians] kill and the weapons and their food, their clothes, and their boots, the other numerous expenses that are involved, and how are they to pay for the treatment of the wounds that they [Indians] inflict on them?[51]

The conquistadors required the natives to finance the pacification and exploration of the borderlands of New Spain. After Guzman explained the logistical impracticality of the King's orders, he cited St. Paul's scripture in the Bible, and reminded the monarchs of their duties as ministers of God, which included the corporal punishment of those who did not submit to his will. In the same letter, he argued against Charles V's prohibition of the rescue of Indians, explaining that the settlers on the frontiers had no way of procuring food, medicine, nor wine, without slaves with which to mine for gold. "Who will bring them firewood, herbs, water, and the other necessary things for themselves and their

[50] Puga, Vasco de. *Cedulario de la Nueva España.* 237.
[51] Ibid.

horses, if they are not allowed to own some?"[52]

Another point of contention for Guzman was the section of the decree that ordered him to inform the *Consejo Real* of natives that would not accept Catholicism, before proceeding to attack them. "I don't understand how I am supposed to be sympathetic, if I am in a town and some Indians rebel, or neighboring Indians attack, if I cannot punish them by waging war. They will kill us, along with our Indian allies and the Christians who accompany them."

To Guzman, slavery was integral to the mission of conquest, and without it, not only would the conversion of souls be at stake, the King would not be completing his heavenly mandate, colonial residents would not be able to settle in the frontiers, and Christians would be killed.[53]

A similar grievance came from Oaxaca, where the settlers asserted they had no way of sustaining themselves without the Indian slaves.[54] More importantly, they argued mercenaries became reluctant to war against the natives, because they had nothing to gain from the enterprise. In what seems as an effort to weigh on the conscience of the King, the letter explained that the abolition of slavery led to increased deaths among the indigenous population, because Spaniards left the protection of many towns to their native allies who killed all aggressors. The bureaucrats of the capital claimed that only through bondage, would he teach the belligerent people about God. [55] The *cabildo* explained that it believed the enslavement of Indians through war necessary for the

[52] Ibid., 238.
[53] Ibid., 239.
[54] Ibid.
[55] Ibid., 241.

successful conquest of untamed lands, as well as the protection of those that they had already subjugated. "…we wonder how the deaths of Christians that happen at the hands of the Indians through our inability to enslave them, will rest on His Majesty's conscience…"[56]

In March of that year, the royal judges of the governing body informed the Queen, Isabella of Portugal, who was on the throne given her husband's absence, that an Indian uprising had taken place among the Yopelcingos of Colima. They explained that Hernán Cortés had ordered the capture of 2,000 natives.[57] The Queen's response was to appoint Vasco de Quiroga, one of the judges of the colony, as the head of an investigation into the incident. A year later, Quiroga concluded his inquiry and found Hernán Cortés and the commanding officer in the battle, guilty.[58] Despite the verdict of the courts, the Queen reversed the ruling because she saw the transgressions of the soldiers as necessary and just, given the alleged transgressions of the natives.[59] Two other similar incidents show the Crown's inclination to compromise the anti-slavery laws. In Panuco, Guzman received orders that allowed him to enslave the indigenous population in the region.[60] Similarly, the Crown gave the same concession to conquistadors in Guatemala.[61] These three examples demonstrate how the enslavement continued despite the anti-slavery laws.[62]

During this period, the monarchs responded to the insubordination of the

[56] *Actas del Cabildo de la Ciudad de Mexico*. II, 106.
[57] Puga, Vasco de. *Cedulario de la Nueva España.* I. 271.
[58] *Colección de Documentos Ineditos…de Ultramar*, Vol XXI. 169.
[59] Ibid.
[60] Ibix., X, 124.
[61] Ibid., XXI, 187.
[62] Ibid., 108.

conquistadors through concessions. Although the King prosecuted those that abused his leniency within Mexico City, he amended policy in regions where the conquistadors claimed they had no other choice but to act outside of the law. In 1534, just war, along with the rescue of Indians once again became legitimate vehicles for the enslavement of natives.[63] The King believed that Indians were dying at increased rates, because his men were under orders to kill, instead of capture, when violence would occur.[64] Another cause was the unsuccessful conversion of natives, because of indigenous masters that forced them to remain idolaters.[65] Finally, the Crown expected an increase in trade between Spaniard and native would accompany the continued evangelization of Indians by the Franciscan missionaries that arrived in New Spain in 1524.

These changes prompted more nuanced and cultured protests from some in the colony. In 1535, Vasco de Quiroga, who at the time served as one of four judges in the governing body of New Spain, wrote in opposition of the new policies, explaining that they would only help the miners who sought to enrich themselves and return to Spain, while hurting the prosperity of the true colonial settlers.[66] Quiroga also attacked the Indian chieftains, or *caciques*, who he claimed were tyrants and benefited from the exemptions in the law, given that they captured and sold free Indians. The prohibitions should remain intact, Quiroga argued, because the indigenous population only retaliated against the incessant march of soldiers into their lands. According to Quiroga, the natives did not sell their bodies into slavery, but instead sold their skills for a defined set of time.

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[63] *Actas del Cabildo de la Ciudad de Mexico*. III, 54.
[64] Ibid., 55.
[65] Ibid., 56.
[66] Quiroga, Vasco de. In *Vasco de Quiroga, La utopía en América*, by Vasco de Quiroga, edited by Paz Gassent Serrano. Madrid: Dastin, 2002. 225.

He concluded that the concept of rescue as a means of slavery was illegal because it had no precedent in slavery as it existed in Iberian law.[67]

Also included in the voice of protest at the Crown's change in policy, was that of the Bishop of Mexico, Juan de Zumárraga. The following excerpt is proof of Spaniards finally understanding Indian slavery, and it shows a real interest, in wanting to be better informed. In 1536, he explained:

> … during the time that I was entrusted by His Majesty to safeguard the iron brands of the of the *real audiencia*, I was asked to examine slavery as it occurs among Indians, and through the laws of the [Siete] Partidas found those that the natives claimed to be slaves were actually free.[68]

The Bishop questioned the validity of the laws that allowed the procurement of slaves through rescue, and argued that prohibition had been the correct path for the conquest, and that the failure of peaceful pacification and conversion rested on the deceitful nature of the conquistadors.[69] Zumárraga, just like the lawyer Quiroga, reminded the Crown that slavery, as applied to the natives, legally and ecclesiastically, was illegitimate and morally questionable.

In 1534, the King's reasons for allowing slavery in specific instances echoed the opinions of the Conquistadors and colonial administrators who vehemently opposed the

[67] Ibid., 225.
[68] Letter is reproduced in Joaquin Garcia Icazbalcet's *Biografía de Juan de Zumárraga, Primer Obispo y Arzobispo de Méjico.* Madrid: M. Aguilar, 1929. Apendix. 152.
[69] Ibid., 153.

prohibition on slavery. Charles V adjusted the slavery laws to increase the economic output of the colony and facilitate its political administration. However, this shift in policy set aside the moral and judicial footing with which the King had argued for abolition, and clashed sharply with what clergy and royal administrators had to say about the situation in New Spain.[70] The next step in Crown's plan for Indian slavery would not occur until a direct representative of the King reached New Spain.

1535-1542 | Viceroyalty of New Spain

The following year, in 1535, a serious shift in power happened within the colony, when the first Viceroy, Antonio de Mendoza, arrived in Mexico City.[71] The Crown gave him instructions to investigate "…how the Indian slaves are made in that province, both by the Indian *caciques*, as well as by the governors and captains of war, who are under our command."[72] Mendoza's arrival signaled yet another attempt by the monarchs to consolidate their power in the new territory, but also shows an understanding that slavery had different forms, and that there was value in understanding the practice as it existed among the natives.

The arrival of the King's representative, entrusted with the proper governance and administration of the colony, was supposed to mark the end of the turbulent years of the colony. After the initial military government headed by the conquistadors, the failed first *audiencia*, and the rather successful second *audiencia,* the Viceroy was to bring order.

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[70] Ibid., 57.
[71]Mendoza, Antonio de. "Descargos del Virrey, don Antonio de Mendoza." In *Los Orígenes del Gobierno Virreinal en las Indias Españolas, Don Antonio de Mendoza, Primer Virrey de la Nueva España (1535-1550)*, by Ciriaco Pérez Bustamante. Santiago de Compostela: El Eco Franciscano, 1928.
[72]Konetzke, Richard, ed. *Colección de Documentos Para la Historia de la Formación Social de Hispanoamérica, 1493-1810.* Madrid: Consejo Superior de Investigaciones Científicas, 1953. I. 163-166.

The strengthening of rule included and necessitated, the weakening of the political and economic command that conquistadors wielded. Unsurprisingly, the dislodging of power began shortly after Mendoza's arrival, with the arrest of Nuño Beltran de Guzman in 1536.[73]

Indian slavery, which had since the arrival of the Spaniards, gone hand-in-hand with the conquistadors, was at the center of Mendoza's attack. The Viceroy ordered the apprehension of Nuño Guzman, who for a decade constantly challenged and voiced his discontent of the King's orders regarding the proper treatment of the natives. Mendoza arrested him for the illegal trafficking of children and women.[74] Subsequently held prisoner for a year in Mexico City, officials sent him to Spain, where he died in prison in 1544, in the Castle of Torrejon in Madrid.[75] Investigations into the activities of the conquistadors had been commonplace since the first *audiencia* of which Guzman had been the president, but never had the governing body successfully tried and sentenced such a notable conquistador.

Although a return to the anti-slavery decrees of 1530 did not accompany the creation of the Viceroyalty, law that reflected the findings of Mendoza's many informants and investigators soon began arriving from the Council of the Indies. The accusations that the Crown brought against Guzman stemmed from the first of these changes to the legislation: it ordered that the enslavement of natives be restricted only to

[73] *Colección de Documentos Ineditos…de Ultramar*, Vol XXI. 173.
[74] Ibid., 187.
[75] Chipman, Donald E. *Nuño de Guzmán and the Province of Pánuco in New Spain, 1518-1533.* Glendale: A. H. Clark Co, 1967.

males above the age of fourteen.[76]

Enforcing the same clause in 1538, the fiscal Anton Ruiz de Medina brought forth indictments against Hernán Cortés for the unlawful capture of three underage Indians and six women from the territory of Nueva Galicia.[77] The official, who successfully freed Cortés' nine slaves, questioned several other Oaxacan men, and liberated those that he concluded they had captured illegally. In 1540, a decree banned slavery among Indians, and ordered an immediate stop to the capture of natives by *caciques*.[78] Further trumping the changes in policy that occurred in 1534, the same order also prohibited the human trade with *caciques*.[79] By dismantling the pre-colonial intra-native system of slavery, the Crown effectively terminated the supply of Indians of *rescate*, and in essence rendered that system ineffective.

The flurry of legislative amendments and the effect of the anti-slavery advocates' formal complaints against the actions of abusive colonizers, did not stop exploitation in the peripheries. Despite the laws and the slow march towards abolition, the aforementioned Mixton Rebellion of 1542 shocked colonial residents.[80] Zacatecas, located in the Nueva Galicia territory, was an unsettled border region of New Spain, and home to numerous nomadic tribes that the colonizers, along with their Indian allies, called *Chichimecas*. Natives in the region, condemned the brutal treatment and

[76] *Colección de Documentos Ineditos…de Ultramar*, Vol XXI. 183. Section 82.
[77] Lopez, Martin. "Proceso del Fiscal Antonio Ruiz de Medina." Reproduced in *Historia Mexicana* (El Colejio de Mexico) 15, no. 2 (1966): Edited by Carmen Camacho. 239-273.
[78] *Colección de Documentos Ineditos…de Ultramar*, Vol XXI. 183. Section 85.
[79] Ibid.
[80] Tenamaztle, Francisco. *Relación de Agravios Hechos a Don Francisco Tenamatzle.* México, 1959.

trafficking of their people, and sought to protect themselves from conquistadors.[81] The non-existance of a Spanish army, allowed the natives to plot and attack for two years, successfully defeating several waves of attacks against them. Residents of Mexico City feared the Chichimeca would attack the city itself, after reports of a possible pan-Indian alliance. Although the Viceroy successfully subdued the rebellion, the Mixton Rebellion was the first of many uprisings that occurred in the territory of Nueva Galicia, and set the tone of the relationship between settlers and the nomadic tribes for the next fifty years.

The uprising is vital because although anti-slavery advocates had made successful strides towards abolition, and the control of the conquistadors seemed to weaken, captivity clearly continued in the outlying areas of the colony. As had been the case throughout the length of Charles V's reign, the strengthening of administrative power in the colony and the King's concerted efforts against the criminal enslavement of the indigenous population, continued to be limited and circumvented. The control and power of the monarch, as seen in his decrees, did not always reach the faraway lands on which the conquistadors constantly found themselves.

In 1542, while the Mixton Rebellion consumed the minds of New Spain, theologians in Valladolid, Spain, debated the place of the Indian in the Spanish empire. The debate between Bartolome de Las Casas, a Dominican friar, and Juan Gines de Sepulveda, ultimately had repercussions for the King's policies of native slavery. While

[81] A large portion of the manuscripts have been published in Ávila Márquez, Humberto. *Teamaztle: Defensor Pionero de los Derechos Humanos.* Zacatecas: Gobierno del Estado de Zacatecas, Instituto Zacatecano de Cultura, 2006. As well as in Miguel León-Portilla's *La Flecha en el Blanco*. The transcription of the manuscripts was completed by each respective author, but Avila's book contains photo copies of all of the manuscripts. A similar compialation by Salvador Reynoso saw a limited publication of fifty copies, Tenamaztle, Francisco. *Relación de Agravios Hechos por Nuño de Guzmán y sus Huestes a Don Francisco Tenamatzle.* México, 1959.

Las Casas argued for the fair treatment of natives, Sepulveda believed them to be natural slaves. Despite no clear winner, that year, Charles V signed the New Laws, a progressive set of decrees that prohibited the enslavement of natives.

1542-1556 | Mendoza, the New Laws, and the Outbreak of the Chichimec War

In 1543, Francisco Tello de Sandoval, a Spanish lawyer, embarked on a trip to New Spain, where he was to oversee the implementation of the King's "New Laws."[82] The document, concerned primarily with the proper treatment of natives, was the result of half a century's worth of debate, in which theologians and lawyers discussed the rights of natives. Given previous legislation, it is clear Charles V did not need much impetus or coercion to rule in favor of the natives. However, the voluminous work dealt with much more than Indian slavery, and certain parts of the King's empire did not receive the changes with open arms. While the New Laws caused a rebellion in Peru, and the Crown ultimately revoked them, their partial implementation in New Spain had great repercussion for those in bondage. The changes to slavery, as the new legislation explained, prohibited Indian servitude, and called for an investigation of all pre-existing cases. The decree specifically cited "just war" and rescues, as invalid means of acquisition, and barred explorers of untamed land from taking captives during their expeditions.[83]

The colonial administration, along with the conquistadors, met the New Laws with much doubt, and made their opinion over its regulations known to Charles V. Viceroy Mendoza and the Royal Tribunal, wrote to the King upon Tello's arrival, and

[82] Garcia, Icasbalceta. *Documentos Para la Historia*, II. 204.
[83] *Colección de Documentos Ineditos…de Ultramar*, Vol XXI. 183. Section 85.

asked how the changes applied to Indian rebellions.[84] Their question to the monarch, which specifically sought clarification over slavery and its role in the Indian rebellions in Nueva Galicia, is very telling of the colony's preoccupations at the time. The Viceroy insisted that the application of the orders would be detrimental in the northern borders, because no mercenary would risk his life, given the absence of spoils of war.

Another issue that needed clarification was the viability of a different form of procurement of slaves. Mendoza asked the Crown to allow colonial officials to make royal slaves out of prisoners who were awaiting the death sentence, along with their sale through auctions in the capital. Mendoza then became the first Viceroy to employ the *obedezco pero no cumplo,* or "I obey but do not carry out," by setting aside the unenforceable or impracticable laws of the King.[85]

The initial response by colonial bureaucrats was one of skeptical resistance and their attempts to circumvent the New Laws are clear. In 1545, the tribunal once again asked for permission to enslave the criminals, which the Crown appears to have denied the first time. Three years later, they consulted the King on the matter once more, but informed him of certain liberties they had taken in the five years since. The tribunal had

[84] Puga, Vasco de. *Cedulario de la Nueva España.* I. 271.
[85] This was characteristic of Spanish rule in in America. *Obedezco pero no cumplo* is a legal concept that goes back to the Roman law concept that the King can do no wrong, *Rex nihil potest nisi quod jure potest*. *Obedezco* means I obey; it was a formal recognition of the legitimacy of the sovereign power who properly informed of all the circumstances would wield no wrong. *Pero no cumplo*, but do not carry out, the subordinate assumes responsibility of postponing execution of an order until the sovereign is informed of those conditions of which he may be ignorant and without a knowledge of which, an injustice might be committed. In use in the Indies, officials could in fact postpone the execution of royal orders whose implementation might create undesirable social conflicts. *Authority and Flexibility in the Spanish Imperial Bureaucracy*. Phelan, John L. Administrative Science Quarterly. Vol. 5, No. 1, Special Issue on Comparative Public Adminsitration. Jun., 1960), pp. 47-65.

stopped executing natives, and had instead made "temporary servants" of them.[86] The colonial administrators also sought permission to brand the temporary servants, just as they had done to slaves.

The conquistadors at the edges of the colony also responded negatively and rejected the legislative changes enacted by Charles V. Their dismissal of the King's orders is evident in the reports written by friars that worked as missionaries in the mines and borderland regions of Nueva Galicia. In 1550, Friar Rodrido de la Cruz wrote about a group of 400 slaves who remained in bondage and forced servitude in the mines, despite their claims to being free.[87]

Similarly, in 1552, Franciscan friars wrote to the Charles V, and informed him of the disorder that marked the territory. Their accounts of visits made by the *oidores*, judges of the royal tribunal, commissioned with the application of the laws in the province, painted them as ineffective, and unable to execute the monarch's orders.[88] The *oidores* themselves while explaining their successes in the area noted the ineffectiveness of the measures against the problem within Indian communities. *Oidor* Hernando Martinez de la Marcha, wrote to the king in 1551, and informed him of natives that continued to practice slavery amongst themselves, because they had grown accustomed to selling them to many of the local landowners.[89]

An example of the ineffectiveness of the King's decrees is an investigation carried out by municipal magistrates in Puebla in May of 1549. The investigative report

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[86] *Actas del Cabildo de la Ciudad de Mexico*. II, 106.
[87] M. Cuevas, *Documentos ineditos del siglo XVI*. Pp 155. *Carta de Fray Rodrigo de la Cruz al Emperador Carlos V.*
[88] *Colección de Documentos Ineditos…de Ultramar*, Vol XXI. 180. Section 73.
[89] Ibid.

provides details usually not available regarding this procedure. In areas close to Mexico City, such as in Los Angeles, modern day Puebla, swift action was possible and the Viceroy could order investigations and enforce the King's will. In this case, Viceroy Mendoza ordered the inquiry because he believed subjects of the Crown were holding many Indians from Yucatan and Cozumel against their will. He asked for the names of the slaves, a head count, who the masters were, as well as when they were obtained and by whom. During the local officials' investigation, they placed the captives that they found in the care of locals that were to look out for the Indians' wellbeing.

When the investigators questioned a local, Pedro de Ra, regarding his knowledge of possible illegal activity pertaining to Indian enslavement, Ra informed the officials that he knew Luis Diaz, another resident of the town, had purchased an Indian woman from the Island of Cozumel, while in the Yucatan region. Ra also testified to knowing about a lady that was in the possession of Pedro de Meneses. A few days later, Ra accompanied a scribe and two of the magistrates so he could identify the native that belonged to Diaz. The slave, who introduced herself as Ines from Guatemala, explained that she had lived in Chiapas until Diaz took her to Los Angeles de Puebla.

Among the many townspeople the magistrates questioned, Alonso Nortes, confessed to knowing a Greek boatman that had a native woman as a slave. Although he could not remember the boatman's name, Alonso recalled the Greek told him he had brought the lady from the interior of Campeche. A few days later Juan Gago, a local merchant, corroborated Norte's testimony. Although the merchant testified to having

seen an Indian that everyone called "La Campeche" in the home of Alonso Valiente, he denied knowing where she was from.

When the officials summoned "La Campeche," Valiente's wife explained that her husband had left the city and had taken the Indian with him. A few days later, Valiente explained that roughly twenty years earlier, while he lived in Veracruz, Francisco de Lerma, had returned from a trip to Tabasco with two women in tow. Valiente admitted to having purchased one of the slaves, who was from Tabasco, after the second from Guacalqualco, had died.

The magistrates then questioned "La Campeche," who introduced herself as Elvira. They asked her where she was from, and she clarified that she had no idea, since she had been a child when a Spaniard took her to Veracruz, from somewhere around Tabasco. Elvira admitted to being a slave in the household and that on orders of Doña Juana, Valiente's wife, a local had branded her face. Before leaving the home, the officials ordered Valiente to keep Elvira in the city until they concluded their investigation, or face a fine of 500 gold pesos.[90]

Similarly, Juan de San Vicente, claimed to know that one of the slaves that had been placed in the care of Gomez Hurtado during the investigation, belonged to one of the townspeople, Nodera. When officials caught up with him and his slave, Martin, they found out the master had captured the teen from the nearby village of Amecameca, at the age of fourteen. Nodera admitted to having taken the boy, but claimed he was not a

[90] Archivo de la Historia de Yucatan, Campeche y Tabasco, Mexico, 1942, I, 69-83. Archivo del Ayuntamiento de Puebla, IV, 1547-1656, ff. 332-340v.

slave, but his servant, and that he had no knowledge of others in Puebla that might be keeping natives as slaves in New Spain.[91]

This colorful extract demonstrates how far ranging the experience of the native slave could be and the swiftness and seriousness with which officials handled matters of its sort. While colonists had captured some of the slaves the magistrates encountered only a few miles away from Puebla, others they uprooted from opposite corners of the Spanish Empire. Similarly, while some had lived most of their lives in captivity and had scars on their faces announcing them as property, others were newly enslaved and had no such markings. Slaves' jobs also varied, some worked in the homes of their masters, while their owners rented others out.[92] In sum, the details of the investigation demonstrate, the far reach of the slave trade, its indiscriminate displacement of people, the complicity of all types of people in its practice, the normalness of it, and most importantly, how ineffective the policies of the King could be.

In 1554, over a decade after the promulgation of the New Laws, Viceroy Luis de Velasco, wrote to Charles V who was only two years away from abdicating the throne to his son Phillip II, of the bleak situation in Nueva Galicia. The conquistadors continued to exact tribute from the natives. In regards to the liberation of the indigenous population, "…in that region, I know not of any Indian that has been liberated from being a slave." In addition, he informed the monarch of the various grievances the colonial population brought to him, in which they complained of the unfairness and uneven application of the

[91] Ibid.
[92] Ibid.

provisions, despite being "all of one God, one King and one set of laws."[93] Viceroy Velasco, saw no solution to the problem in Nueva Galicia, and despite the assurances by Viceroy Mendoza upon his departure to Peru in 1550, the laws had not taken full effect in all of New Spain.[94] The creation of a second mainland *audiencia* in 1548, seated in Guadalajara and responsible for the governance of the northern territories, was unable to execute the King's orders.

The Crown for the most part, remained quiet after the promulgation of the New Laws, and their implementation during the decade that followed. The sovereign received petitions from the colonists that asked for amendments to the anti-slave codes, and replied with instructions to read what the King had already issued. When Charles V stepped down, reports from the colony claimed his policies had ended slavery in central Mexico. However, in regards to the inhabitants of the peripheries of the colony, both Spaniards and Indians remained untamed.

1556 | Charles V Abdicates the Throne

As a social engineer, Charles V strove for a land devoid of Indian slavery, yet found his vision clashed with American realities. The conquistadors' disdain for his few, but bold shifts in policy, reflects the ambivalent support with which they received his ideas. The conquistadors were able to resist and defeat the King's progressive policies because of his colony's inadequate resources, administrative incompetence, and corruption, which in essence gave them control over economic and political affairs during

[93] M. Cuevas, *Documentos ineditos del siglo XVI*. Pp 205-206
[94] Mendoza, Antonio de. "Descargos del Virrey, don Antonio de Mendoza." In *Los Orígenes del Gobierno Virreinal en las Indias Españolas, Don Antonio de Mendoza, Primer Virrey de la Nueva España (1535-1550),* by Ciriaco Pérez Bustamante. Santiago de Compostela: El Eco Franciscano, 1928.

the first fifteen years. Nuño Beltran de Guzman, a corrupt conquistador who auctioned slaves to the highest bidder, ran the first governing body, the Royal Audience. Hernán Cortes ordered illegal activities be carried out, and went without reprimand. The New Laws, as the sovereign was able to apply them, were successful in Mexico City, but saw only marginal successes in frontier lands.

The complexity of Indian slavery lay in the negotiations of power that occurred between King and colony. Conquistadors wanted heads for labor in their newly acquired land and had the means to take it, and in the process, they overcame Charles V's policies through greediness, opportunism, and cruelty. Away from the center of power, they could exploit and resist the edicts of the King. Ultimately, power on the ground, determined how the soldiers would treat the indigenous population, and in the early colonial period, that power was in the hands of these explorers. When and where administrative control existed, so did the enforcement of Charles V's vision. However, during this period, it was continuously weakest at the outskirts of the colonized world, and as such, their illicit activities flourished.

Unlike Charles V, his son, Phillip II did not endure a power struggle against the conquistadors in the process of establishing of a central administration. Instead, the new King dealt with a second phase of the conquest that coincided with the silver boom of the north, and the creation of the *Indio barbaro*, the Chichimeca. During the second half of the 16th century, the colonial residents, corrupt profiteers, and frontiersmen undid many of the successes of Charles V's anti-slavery campaign. These men called for and succeeded in starting a "war by fire and blood" against the Chichimeca, by positioning

the nomads of the North as obstacles to progress. The entrepreneurs vilified the natives as being innately savage, cruel, and unredeemable. The inherent profitability in the enslavement of the nomads of the north and the impediment they posed towards economic advancement, guaranteed a perpetual war that lasted until 1595. Through concessions granted despite the New Laws' prohibition on slavery, a continued struggle for many that sought to free the natives.

The clash between Indian and Spaniard during the Chichimec War consumed conquistadors, church, native, and Crown alike, for the rest of the century. Phillip II and his Viceroys consistently worried about the legitimacy of the war that his Viceroys waged and constantly looked to the church for reassurance that their actions were "just."

Forty years after the conquest, the situation created by the war in the frontier also generated new opportunities for several competing players. The frontiersmen sought payment for the services rendered in the defense of the King's and their personal interests. They wanted compensation in gold from the royal coffers or in slaves, and to achieve this, they constantly wrote to the Crown and painted a bleak picture of the state of affairs in the colony. The ecclesiastical orders tried to find a consensus amongst them to best inform and help the King on the realities of the colony, while at the same time, trying to save as many souls as possible. Native allies seized this opportunity to become conquistadors themselves, fighting side-by-side with their allies, reaping the same benefits, and in the process winning the favor of their Sovereign. In the face of the encroachment by these various groups of opportunists, the nomadic tribes had to stave off Spanish expansion and face the repercussions of the Chichimeca categorization.

The Chichimec War Viceroy Velasco and the New Laws Undone

Prior to Charles V's abdication, there were signs that the freedom he guaranteed natives through the New Laws was fragile. Spanish-Indian violence, as well as banditry, on both sides, was a common occurrence. Although the King and his Viceroys ignored such outbreaks of violence and tried to adhere to the plan set forth in 1542, they still sought to inform themselves and understand how to proceed, as the problem only escalated as time passed. They turned to the members of the religious orders for further education on the natives.

In 1544, only a year after the passing of the New Laws, the Council of the Indies sent a representative of the crown to investigate the colony's implementation of the laws.[95] Francisco Tello de Sandoval convened an ecclesiastical meeting with representatives of the three orders, along with the court and the governing body of Mexico City, to seek counsel on how to deal with the escalating violence.[96] At the meeting, the colonial leaders justified the treatment of the Caxcan Indians that had participated in the Mixtón Rebellion only two years prior. One of the men present at the meetings, Gómez de Maraver, a soldier that accompanied Viceroy Mendoza to the battle, defended the killing, captivity, and displacement of the Indians after the war:

[95] Francisco Tello de Sandoval's report: Cargos que resultaron de la visita secreta de Francisco Tello de Sandoval, contra el Virrey de Nueva España, Antonio de Mendoza. June 21, 1546. For the New Laws, see: *The New Laws of the Indies for the Good Treatment and Preservation of the Indians*. New York: AMS Press, 1971.

[96]Present at the meeting were the first bishop of Guatemala, don Francisco Marroquin, the archdean of Mexico, licenciado Juan de Barrios. Those of the orders included a few Dominicans, the Franciscan Marcos de Niza, and the Augustanians, Francisco de Villafuerte, fray Francisco de Salamanca, and fray Guillermo de Santa Maria. "Relacion Sumaria de la Informacion que se trajo de la Nueva Espana a pedimiento de la ciudad de Mexico, y se tomo por el gobernador y audiencia real de la Nueva Espana" Carta sobre una junta eclesiastica 1545, Garcia Icazbalceta, Nueva coleccion, I 109-124.

> After the *naturales* rebelled, they committed many atrocities, and terrible things, that any punishment that might have been inflicted upon them was necessary and just. Because the *naturales* not only rebelled, and incited an uprising against your majesty's domain, but with great disdain towards the evangelic law they reneged the baptism that they voluntarily received and blasphemed the name of God…[97]

Maraver explained in detail the ways in which the *naturales* had planned on the "...universal destruction of the Spaniard" and stressed that the natives' affront was against the divine.[98] At this meeting, perhaps because of the slaying of several priests and burning of churches during the Mixtón Rebellion, there existed a consensus among the theologians and the representatives of the religious orders. They advised the Crown to keep the northern Indians as slaves, to better protect and serve the King through the evangelization of the infidels.

A few years later, in 1555, the Franciscan friar Juan de Armellones proposed another solution. In a letter to the King, he asked newly arrived Spaniards to settle and populate six to eight towns near the "Indians of war," so that they could avoid further open hostilities between both groups. In the example the friar used, he pointed out the many vagabonds that aggravated the Indians, and urged the King to bring the Inquisition to New Spain to deal with them.[99]

Armellones echoed what many other men of the orders had said before, that it was

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[97] Response to item 188 in the declaration of Pedro Gomez de Maraver. Printed in: Carrillo Cázares, A. (2000). Pg 476.
[98] Ibid.
[99] Ibid., pg. 537-540.

Spaniards that caused the problems in the native towns. In 1556, both the Augustinian friar Joan de San Roman and the Franciscan Joseph de Angulo agreed, that "…in regards to the rebellion, I heard that it occurred because of the Spaniards who were living in said provinces aggravated the *indios y naturales* that lived there…"[100]

In 1552, the Viceroy Luis de Velasco wrote a report to King Phillip II, in which he explained the dilemma, as he understood it. Velasco explained that the banditry on royal roads was not stopping, and Spaniards would not go fight unless the King granted them permission to take captives. He assured Phillip II that the colonial administration would not allow unlawful Spanish aggression to go unchecked. As a solution, he had contemplated hiring soldiers, but the cost of leaving them in the Zacatecas region was prohibitively high, and even when offered an overly generous salary of 40 pesos a month, he had failed to find any able bodied men willing to go. Ultimately, he considered sending the gold that he had budgeted for the soldiers, to the owners of mines, and supply them with weapons and provisions from royal warehouses.[101]

The Viceroy's letter clearly outlines the predicament with which he toiled since his arrival in 1550. Spaniards would not fight Indians, unless the Viceroy allowed their enslavement. However, the Viceroy feared the soldiers, given permission, would purposefully attack natives, to justify their capture. He expressed his frustration, as well as his commitment to continue to uphold the King's will. Additionally, because Velasco

[100] León-Portilla, M. (1995). *La Flecha en el Blanco.* Mexico D.F.: Editorial Diana. 171-173. In 1556 Franciscan Friars Melchor de Medina and Juan de la Puerto, both answered the questions of the investigator sent by the Council of the Indies and the word Chichimeca, *barbaro*, or any of the other language that would come to be associated with the period and the nomadic Indians was not used. Ibid., 149-154. Can also be found in: Tenamaztle, F. (1959). *Relación de Agravios Hechos por Nuño de Guzmán y sus Huestes a Don Francisco Tenamatzle.* México.

[101] Coleccion Muñoz, cit., LXXXVI, f. 148 r- v.

did not have a standing army that he could readily mobilize, maintaining control and peace in such sparsely populated areas, continued to prove difficult throughout the 16th century.

Velasco's inability to act did nothing to hinder increased hostilities, and in 1558, he made the first concessions to frontiersmen, which allowed them to enslave natives that disrupted mining operations. The Viceroy addressed his orders to the municipal magistrate in charge of the mining camps of Zacatecas, and expressed his worries of the constant attacks perpetrated by the *Guachichil* Indians in the region. Velasco had heard of bandits that robbed merchants on royal roads, attacked mining towns and the mines themselves. His solution, as he explained it to the magistrate, was to allow the capture and dispersal of slaves to any men that joined the fight against the assailants. Those that managed to detain the Indians, were to hold them for a period of six years, or longer, and distributed equally amongst all present. The Viceroy counted on the residents of the mines to help the magistrate, and assured him that people would arrive "in droves and with urgency to help defend [them] from the aforementioned *Guachichiles*."[102]

The incentive was enough to make both Spaniards and native Indian allies rally around the cause. The labor forces of mining towns swelled with a sudden influx of slaves.[103] The Crown turned to friendly tribes for help in apprehending the Chichimecas.

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[102] AGN., Mexico, Mercedes, V, 26v-27.

[103] In 1561, the Franciscan Friar Jacinto de San Francisco wrote to the King, asking him to spare one such town. The friar tended to a town of Indians, and he wanted them to be protected from the violence of the war. He explained that because it was a town of slaves that mined for gold, he left because he could not bear having them work as slaves while under him, out of fear of being condemned to hell for his role. San Jacinto was also worried that if left unattended the *naturals* would return to the wild, stop wearing clothes, and forget God.

> […] Near the town of San Miguel, when miscreants such as blacks or *ladino Indians* assault

These allies sometimes formed most of the raiding party, and provided most of the necessary provisions for the campaigns. A Nahuatl manuscript from the Indians of Nombre de Dios, Durango, details one such venture, in which a magistrate approached the tribe that called themselves "mexicanos," and promised them that "whoever grabs a Chichimecatl, will be entitled to him and no one will be able to take him away. The same applies if he were to grab two or three." [104]

Royal decrees had barred Indians from participating in the capture of slaves for decades, and thus the *mexicanos* readily agreed to the lucrative deal. In 1563, the natives accompanied the magistrate, Francisco de Susa, and his soldiers, on an expedition that lasted weeks. The natives allied with the Spaniards on these expeditions because they promised a part of the spoils, in the form of slaves. Their account of the events detailed the capture of men, women and children alike. Although soldiers allowed their native allies to capture and keep the Indian enemies, they were taken away at the conclusion of the campaign. Accounts of other Indian-Spanish raiding parties tell similar stories, with one Indian ally group in Zacatecas receiving only the children, elderly, and sick slaves.[105]

While many like the *mexicanos* of Durango profited and welcomed the Viceroy's concessions, others lamented the changes. The bishop of Michoacán wrote to the Council of the Indies in 1561, informing them of the escalating violence and its effects in the region. For decades, peaceful tribes that had been able to walk to the city so the

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someone, the soldiers in the area blame it on the Chichimecs to make them slaves and dump them in the mines, or sell them. […] so that you will move them to wherever they might like and so that they will not be mistreated. It is against your decree that states that no Indian should be made into a slave without an investigation by the Royal Court in Mexico City[…] .Ibid., pg 458-459.

[104] *Nombre de Dios, Durango. Two documents in Nahuatl concerning its foundation.* Ed. Trnsl. Barlow, R.H., Smisor, George, Smisor T. New York: AMS Press. 1983. Pg. 45-67.

[105] Ibid., 29-44.

Church could baptize them, could no longer do so, because they feared Spaniards would apprehend them while on the road. A garrison dedicated to the capture and selling of slaves to the local mines, had become notorious and feared, because its inhabitants indiscriminately attacked all the natives in the surrounding areas.[106]

Before addressing the repercussions of his policy changes, Viceroy Velasco died in 1564.[107] His absence immediately affected the administration of the colony, by creating a power vacuum in a very volatile political environment. Around the time of Velasco's passing, one of the central political issues centered on the arrival of Martin Cortes, the son and heir of Hernán Cortes, to New Spain.

Martin's introduction into the colonial society deepened a contentious divide between the men with *encomiendas*, and those without them. *Encomenderos* were for the most part, those that had arrived to New Spain early on in its colonization, when the elder Cortes first arrived. Those without, were a new wave of affluent arrivals, clergy men and mine owners that accumulated much wealth when Spaniards first discovered silver deposits in northern central Mexico. Velasco's strict implementation of the New Laws had threatened the wealth and nobility of the *encomenderos,* and made him an enemy of the conquistadors. When Martin Cortes arrived in 1563, the dissenters raised him as their leader, and upon the Viceroy's death the following year, pushed to take control of the colonial administration. For two years, Martin served as the military governor of New

[106] Sociedad de historia y Estadistica del Arzobispado de Morelia. *Don Vasco de Quiroga y Arzobispado de Morelia.* Mexico: Editorial Jus. 1965. 143-151.
[107]O'Gorman, Edmundo. *Guia de las Actas de Cabildo de la Ciudad de Mexico , siglo XVI: Trabajo realizado en el Seminario de Historiografia de la Facultad de Filosofia y Letras de la Universidad Nacional Autonoma de Mexico.*Mexico: Departamento del Distrito Federal: Fonde de Cultura Economica. 1970. p 411.

Spain, as appointed by the council of Mexico City. The political turbulence allowed slavery to continue unchecked in the peripheries, and ended with the expulsion of Martin Cortes from New Spain, the execution of several conquistadores, the dismissal of Velasco's successor, and finally the appointment of Martin Enriquez de Almanza as the fourth Viceroy in 1568.[108]

1568-1580 | Almanza y Guerra a Fuego y a Sangre

Velasco's death resulted in an unbridled political environment, which along with earlier concessions to frontiersmen, exacerbated the erosion of Charles V's anti-slavery policies. Enriquez de Almanza was a very proactive Viceroy. He aggressively persecuted and attacked the nomadic tribes of the north, fought Francis Drake off the coast, erected the Cathedral of Mexico, and established the Inquisition in New Spain. During his administration, the consensus that existed within the Church in how to best deal with the nomadic tribes, split between the clergy and the different orders. The split of the religious orders' voice accompanied an escalation in frontier violence, and eventually policy changes regarding the slave trade returned to their pre-New Laws status.

Like other Viceroys before him, Enriquez immediately south the advice of the Franciscans, Dominicans and Augustinians.[109] The views of the religious orders matched that of Archbishop Alonso de Montúfar, who wrote to the Crown in 1570 explaining that they did not condone the enslavement of the Chichimecas, because it led to the

[108]Prescott, William H., *History of the Conquest of Mexico, with a preliminary view of the ancient Mexican civilization, and the life of the conqueror, Hernando Cortes.* V. II. Philadelphia, D. McKay. 188?
[109]Casas, G. d. (1944). *La Guerra de los Chichimecas.* (L. Gonzales Obregon, Ed.) Mexico D.F.: Vargas Real. p172.

encouragement of raids by Spaniards.[110] This reasoning was consistent with what the orders had told the Viceroy's predecessors, and continued to reflect their knowledge of the ethnographic intricacies of the "Chichimeca." Despite the objections, Enriquez organized an army to assault the natives of Guanajuato. The contingent parceled the male slaves amongst themselves, but sent the children under the age of eight to the Viceroy, who then placed them in the homes of nobles in Mexico City.[111]

FIGURE 3: The red outline denotes the areas that saw the most intense fighting that occurred around the mountainous areas where the mines were located.

Although Enriquez had called for "war by fire and blood" and the initial brush against the northern tribes had been a success, he wanted the enslavement period to be permanent. He called for a second meeting of the church to discuss the possibility, and for the first time during these meetings, the religious found themselves divided. Those of the Dominican and Augustinian orders continued to denounce the war as unjust and

[110]"Minuta de los pareceres sobre asuntos de buen gobierno que… recogio y envio a la corte el Arzobispo de Mexico, don Fray Alonso de Montúfar." Cuevas, *Documentos*, p g290.
[111] Torquemada, Juan de. Monarquia Indiana. Mexico: Editorial Porrua, 1975. v I. V. Chapter XXII.

illegal, while the newly arrived Jesuits and the Franciscans sided with the Inquisition's Pedro Moya de Contreras, who advocated the continued use of violence and captivity.

The Franciscan historian Jeronimo Mendieta was very vocal in support of the continued use of Indian slaves in the mines. He considered the Chichimeca threat to be very serious. His writing exemplifies the letters and reports of those that advocated in favor of violence. Mendieta argued the nomads were like Francis Drake, the English pirate that posed a threat to Spanish wealth and stability. He pictured them as an evil brought upon the Spaniards by God for the mistreatment of the natives they first encountered upon reaching the New World.[112]

Because the Indians represented both wickedness and punishment, Mendieta argued they should continue to be enslaved. In this way, Spaniards would redeem themselves in the eyes of God and spare the peaceful natives the hardships of the mines. Using other metaphors and similar examples that the King would understand, Mendieta likened the Chichimeca threat to that which the Turks posed throughout the European continent.[113]

Pressure to implement a stricter administration of the colony also came from

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[112] Sir Francis Drake was considered a pirate by Spain, and as early as 1577, he was under the service of Queen Elizabeth I of England. His exploits as a slave trader early in his career made him an enemy of the Spanish crown.

[113] By this point the Ottoman Empire and the Spain's relationship had been strenuous for over a century, starting with the Ottoman Empire's land-lock over the trade routes to Asia, the Hapsburg Ferdinand, brother of Charles V Holy Roman Emperor, was forced to recognize Ottoman ascendancy in Hungary in 1543, the Ottoman Empire also controlled much of the Mediterranean Sea, Tunis and Algeria were taken from Spain, their saving of Muslims during the Spanish Inquisition, their capture of Nice from Spain on behalf of the French in 1543, and ultimately the military alliance between the Ottoman Empire, France, England, and the Dutch Republic, against Spain. See: Imber, Colin. *The Ottoman Empire, 1300–1650: The Structure of Power*. Palgrave Macmillan, 2002., L. Kinross, *The Ottoman Centuries: The Rise and Fall of the Turkish Empire*, 206, and Mansel, Philip. *Istanbul: City of the World's Desire, 1453–1924*. Gardners Books, 1997. Discurco militar en que se persuade y ordena la guerra contra los turcos. Editorial Renacimiento 2004. ed. Miguel Angel Bunes Ibarra.

Pedro Moya de Contreras, America's first inquisitor general. He believed that it was necessary to secure the highways at all costs, and pointed at the Viceroy's inability to do so, as a failure of the colonial administration.[114] Contreras who wrote to the Council of the Indies in 1574 and painted a gloomy picture in which colonists lived in fear of the Chichimecas, as the Viceroy did nothing to stop the savage threat.[115]

Contreras explained that because the royal coffers were not providing enough monetary support to soldiers, miners were unable to reach and work on newly discovered and rich silver veins. He insisted that unless the Crown directly financed the military endeavors in the North, the war would never end. Because of this frustration, the war advocates argued that the enslavement of the Indians was necessary, as the lack of funding by the Viceroy left the soldiers with no other way of exacting payment for their services.

On the other side of the debate was Gonzalo de Las Casas, who in 1571 presented *La Guerra Chichimeca* to the attendees of an ecclesiastical meeting with the Viceroy. His monograph provided a history of the relationship between the Spaniards and the native menace.[116] Las Casas was one of the few priests who accompanied Viceroy Mendoza during the earliest skirmishes. His work demonstrates the existence of a new wave of writings that deepened understanding of diversity and complexity among the

[114] Pedro Moya de Contreras first arrived to New Spain as a royal investigator sent by the Council of the Indies in 1571, but he took the office of Archbishop in 1573. Poole, S. (1987). *Pedro Moya de Contreras: Catholic Reform and Royal Power in New Spain, 1571-1591.* Berkeley: University of California Press. pg 61. "It is the responsibility of Your Majesty, as King and Señor, to safeguard your highways."
[115] Biblioteca Historica Mexicana de obras ineditas, segunda serie, 11 Epistolario de Nueva Espana, 1505.1818. Recopilado por Francisco del Paso y Troncoso, Mexico, Antigua Libreria Robredo, de Jose Porrua e Hijos, 1940 tomo XI, 1570-1575, pp. 171, 176-179.
[116] Casas, G. d. (1944). *La Guerra de los Chichimecas.* (L. Gonzales Obregon, Ed.) Mexico D.F.: Vargas Rea.

nomadic groups. He evidently understood that Chichimeca was not the name the northern tribes used for themselves. He explained the origin of the word Chichimeca, as, "a name that the Mexicans created for the vagrant Indians that do not have houses or sedentary lives. They could be compared to the Arabs. It means dog that has an unrestrained leash."[117]

Casas' compilation was more than a general history of the enemy:

> These Chichimecas divide themselves into many nations and subdivisions within their chieftaincies. They have different languages, and they always have and always will, war against each other over the most trivial things, although at times they do create alliances and make friends to become stronger against their enemies. Wars amongst themselves happen all the time, even within the groups that speak the same language and who are of the same subdivision. They fight and fragment their groups with no shame in leavening their houses, since they are like the animals or birds that flee, and they will never unite with one another to better themselves or find food. They never come together less it be for war.[118]

Las Casas' account is extraordinary in its attention to detail, and identification of not only the names of tribes and their distinct languages and customs, but also their religion, and places where they made their homes. Figure 2 demonstrates the areas that each group inhabited, as was detailed by Las Casas:

[117] Ibid., pg 21.
[118] Ibid. pg. 21-22.

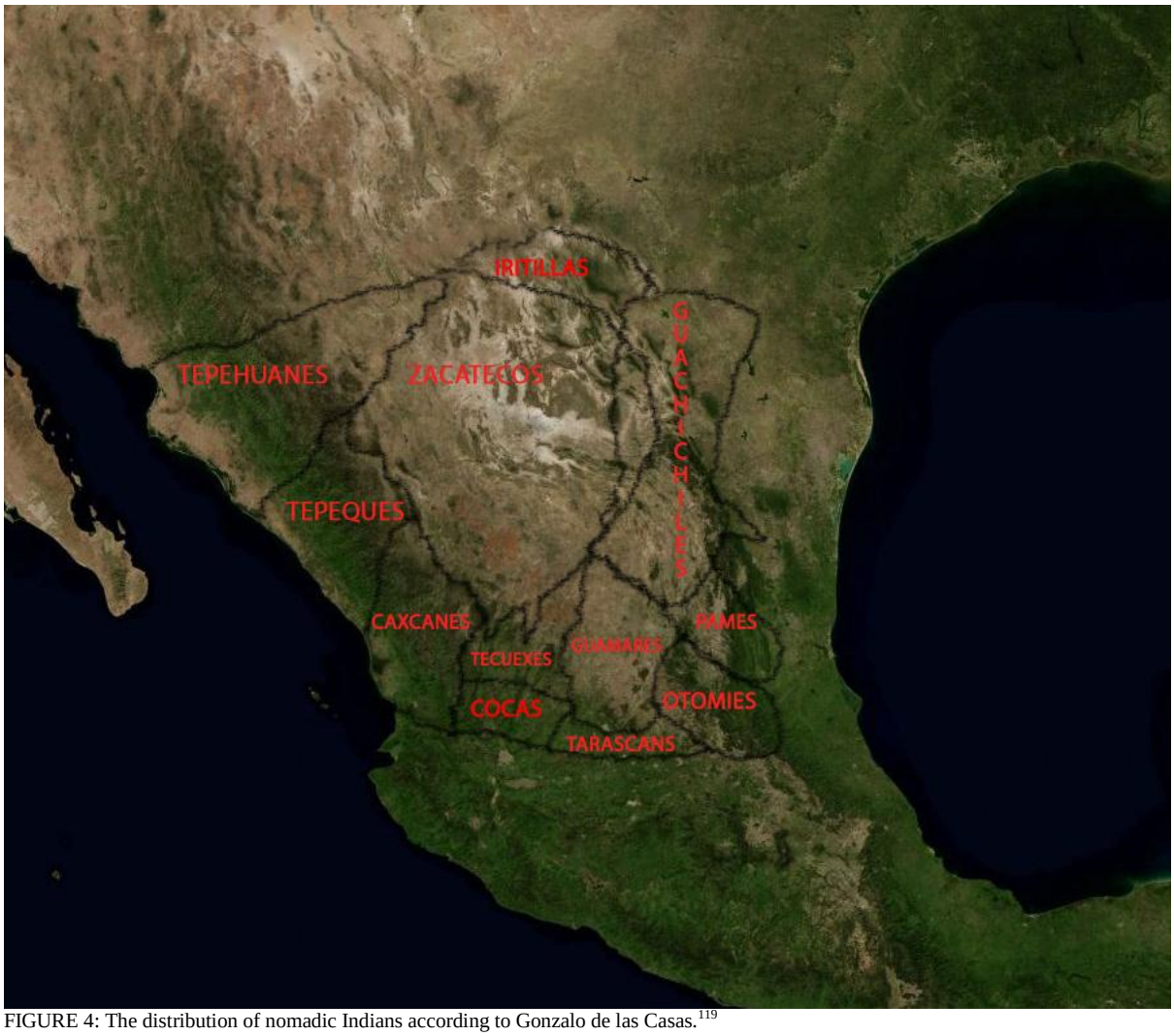

FIGURE 4: The distribution of nomadic Indians according to Gonzalo de las Casas.[119]

Las Casas believed that there were just reasons for continued aggression against specific groups that he identified. He asserted that not all of the Indians should be treated the same, and that some such as the Pames, were the most peaceful natives he had ever encountered. He claimed, "the worst crime they had ever committed was to kill a cow that belonged to a Spaniard to feed themselves."[120] The priest's work presented a subjective analysis of the different tribes, offered a justification of the war based on his

[119] Ibid. 22-30.
[120] Ibid. 23.

findings, and showed a high level of understanding of the native's social, political, and cultural make-up. It shows that some in the colony understood that an all-encompassing policy would not work, given that the natives were not a unified socio-political group.

Other responses received by the Viceroy, which exhibited the same level of understanding of the northern tribes, suggested alternate solutions to ending the native's resistance. The Augustinian friar Guillermo de Santa Maria asked for specific negotiations with the Guachichiles and Pamares Indians. The friar had dealt with the Guachichiles, which he referred to as a nation, and the Guamares, for over twenty years and had successfully integrated a group of Tarascan Indians in a new township. Despite long standing feuds that had existed between these groups, the friar used his in-depth understanding of their customs to convince them to set aside their warlike tendencies, so he could convert them more efficiently. Friar Santa Maria believed that other friars could recreate his success elsewhere in the colony, and he presented his experience to promote his solution to the conflict. He also sought permission from the Viceroy to travel to the northern coast to work on converting another tribe that he sought to bring to God with the aid of the Guachichiles and Pamares Indians.[121]

By classifying the northern tribes as one, advocates of the war could effectively project an image of a recognizable enemy of the Crown, within their propaganda. They wanted the attention of the King, and their likening of the Chichimeca to Turks, pirates like Francis Drake, and Arabs, all of whom were collective enemies of Spain, was calculated and persuasive. Unlike those that defended the natives, supporters of

[121] Santamaria, G. d. (2003). *Guerra de los Chichimecas* (2nd Edition ed.). Zamora, Michoacan: El Colegio de Michoacán.

continued slavery did not distinguish or take into account the many differences that existed among the various tribes. Instead, they generally wrote of them as delinquents, barbarians, and blasphemers, who not only hindered progress, but also impeded economic growth, and threatened the spreading of the gospel.

Opponents emphasized the existence of more than one group that differed and warred amongst themselves, and provided an alternate ethnographic depiction based on their vast understanding of the region and the tribes that inhabited it. They stressed the benefits of a peaceful end to the conflict with the Natives, with the recruitment of friendly natives to, "…help the Spaniards in their conquests, whether they are peaceful or violent, against undiscovered tribes."[122] They provided examples of numerous peaceful settlements within the northern territories, and exalted their own success stories, while warning of the repercussions of prolonged warfare.[123] Ultimately unsuccessful in steering the Viceroy towards a policy of peace, the anti-slavery efforts of the Franciscans, Dominicans, and Augustinians, proved a failure and as a result the violence of the clash escalated unobstructed until the end of Viceroy Enriquez' period in office.

After twelve years of administering New Spain in the name of Phillip II, in October of 1580, Enriquez set sail to Peru to take over that Viceroyalty. Approximately forty years after the first altercation between the "Chichimeca" and the conquerors, there was still no seeming end to the war. A terrified resident of the colony wrote that, "In ten years, more people died at the hands of the Chichimecas, than those that died during the

[122] Carrillo Cázares, *op. cit*. (2000). Pg. 539-540.
[123] Anonymous to Juan de Ovando from the convent of Vitoria, April 1571, Garcia Icazbalceta, Nueva Coleccion, I 109-124.

conquest of New Spain."[124]

Not only had the conflict resulted in a very high death toll, but also much of the anti-slavery legislation enacted by Charles V had steadily eroded throughout this period. At the start of the war in 1542, it was illegal to enslave Chichimecas, but beginning in 1560, the King's subjects could hold warring natives captive for thirteen years, and finally by 1580, the colonial residents and their native allies could once again keep the Indians for life. The regression in policy occurred as the war prolonged, Spaniards discovered more silver deposits, and the rhetoric against the nomadic tribes continued to grow.

The deterioration in anti-slave laws was part of a cycle that accompanied each successive Viceroy. They came into power, and then sought council from the church. The results of the ecclesiastical meetings accompanied the clamorous yells of mercenaries, *encomenderos,* and other noblemen. To supplement what the colonists shared with them, the Viceroys sent investigators to report on the situation. Finally, a new Viceroy arrived, and the process repeated. This same process played out when Enriquez' replacement, Lorenzo Suarez de Mendoza, arrived in 1580. However, Mendoza's term was short, and upon his death in 1583, Pedro Moya de Contreras became Viceroy.

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[124] Ibid. Coinciding with the changes in classification of the Chichimecas was the systematization of the financing of the war. In 1567, the king ordered that the cost of the war be divided between the miners and those who had interests in the war or, one third by the crown and the other two thirds by those who were vested in the war. In 1570, the royal decree was amended by Viceroy Enriquez, to specify that the total cost would be divided in thirds, between the *encomendedors* of New Spain, the crown, and the merchants, miners, *estancieros,* and wagon-train owners that operated in the Gran Chichimeca. See: Powell, P. W. (1969). *Soldiers, Indians, & Silver: The Northward Advance of New Spain, 1550-1600.* Berkeley: University of California Press.

1580-1595 | Peace Achieved, Zuñiga and Velasco II

Moya de Contreras was arguably the most powerful man in New Spain during the year that he served as Viceroy. When he succeeded Enriquez in 1584, Moya de Contreras had been the Archbishop of Mexico City for over ten years, and had served as the Inquisitor General for over thirty. Once appointed Viceroy, Moya de Contreras, who held power over both religious and political matters in the colony, and was a staunch supporter of the war, convened the Third Mexican Provincial Council. He called for the meeting of ecclesiastical minds to discuss the implementation of canons and decrees that had resulted from the Council of Trent. At the request of the governing body of the city of Mexico, the Church added the Chichimec War as another topic in the council's agenda.[125]

In preparation, the Viceroy-Archbishop commissioned the writing of an official history of the Chichimec War. The members of the *audiencia* of the city of Mexico

[125] The council was to cover: 1. Ecclesiastical Discipline & Reformation of the public and private lives of the clergy, those of the religious orders, the public, and the laymen. 2. The treatment of the Indians that work in the mines, and the roads to and from Veracruz. 3. Orphans in the city of Mexico. 4. The creation of a plan for the evangelization of Black slaves in New Spain. 5. Moral issues of the silver enterprise in Zacatecas & Mexico. 6. Justification of the Chichimec War. 2. Repartimientos and forced labor. The following was the petition by the *cabildo* of the city of Mexico to have the issue of the Chichimec War added to the agenda: "The city of Mexico through Juan Belazquez de Salazar and Alonso de Baldes Bolante *regidores* and c*omisarios* to assist in this holy council, and through virtue of its power, says to you our Viceroy that the many deaths that the Chichimec Indians of New Spain and New Galicia have committed of Spaniards and pacified Indians, blacks, and livestock, along with theft, and insults of God, our Savior, and in offense of our Majesty, and the whole nation of Spain, as well as all Christianity. Their arrogance and *atrevimiento* and to hold Christians in such disregard, and as our mortal enemies, this has reached its extreme. […] More Spaniards have died at the hands of these enemies the Chichimecs than those which died during the conquest and the pacification of all of New Spain and New Galicia. Its been many years since these Chichimecas declared themselves the enemies of the Christians and they have made it a custom to murder […] because this perverse nation of Chichimecas has not been declared enemies of fire and blood, like they very well are, we have been unable to make war against them as true enemies, and we can only punish them as delinquents; all of which has only served to increase the attacks instead of fixing the problem. The damage will continue to perpetuate itself, as will the damage that the Chichimecs will enact from here on out, and it will lead the indios *naturales* of this kingdom to revolt against God, returning this land to its previous state of infidels. […]

examined the manuscript and ratified it, before presenting it to the attendees of the Third Provincial Council.[126] Viceroy Moya de Contreras gave copies of the report to those in attendance and asked them to confer amongst their respective orders and deliver an answer as to whether the war was just.[127] The monograph, *About the Beginning, Progress, and Current State of Affairs Regarding the Rebel Indians*, by Dr. Hernando de Robles, an *encomendero* and *oidor* of the *audiencia* of Mexico City, is significant because of its version of events and the way it classified Indian tribes.[128]

According to Robles and the bureaucrats, upon Spaniards' arrival in New Spain, they encountered a group of Indians that called themselves Chichimecas. Religious members of the order of St. Francis went to them and brought them to Christianity and the Holy Spirit. After baptizing the nomads, in 1541, there was an uprising, and they returned to their previous way of life. The Chichimeca renounced God, returned to their idolatry, and returned to their nomadic way of life. The following is an excerpt:

> …barbarous people, idolaters, who don't live in towns, but in the barrens, […] committing incest whenever they want. They go out to the towns to steal clothes and vestments from those that travel the roads, and when they cannot do this, they go to the towns that are settled by pacified Indians and they kill them and steal from them. Those that they take with them are sacrificed and are grilled and

[126] The Archbishop-Viceroy was present, as were the nine Bishops of New Spain, also present were experts of theology and law, five investigators of the Royal Court, and representatives from the orders, Dominicans, Franciscans, Augustinians, and Jesuits.
[127] Carrillo Cázares (2000). *Op cit.* Pg. 692-697.
[128] Full title: *About the Beginning, Progress, and Current State of Affairs Regarding the Rebel Indians called Chichimecas andhe Damages, Deaths, and Unrest they have caused and continue to cause in New Spain and New Galicia.*

barbecued, as they eat their cows, horses, and mules.[129]

There are several errors in Robles' version of the Chichimec history, which continue the trends in other pro-war advocates' reports and correspondence. He claims there was an actual group that went by the name Chichimeca, something that is entirely unsupported in evidence, and claims of his contemporaries. Another inaccuracy is the *oidor's* assertion that the nomadic natives had at some point, all been baptized. Colonists had long used allegations of idolatry, barbarity, theft, raiding, incest, cannibalism, as attacks against, and reasons to war against the natives. The most enlightening part of the version of events presented is the following:

> And to make themselves more powerful in this abominable exercise, these people that call themselves Chichimecas, which is the first and original last name of these bandits unsuccessfully tried to ally themselves with other nations such as the Copuczes, Samues, Guachiles, Pamies, and Guarames, all of whom are Christians.[130]

In this passage, Robles affirms once again that they were one tribe and notes that "Chichimeca" was "…their first and original last name," meaning that they had always been called by that name, and it was their only name. In this revision of history the groups that Spaniards had classified as Chichimecas throughout the 16th century, they

[129] Concilios Mexicanos, MM 269, ff. 86r-88v. Reproduced in Carrillo Cazares. V. II. 692-700.
[130] Ibid. Here the Guamares and Pames are identified. It is very likely that "Guachiles" refers to the Guachichiles, while the Copuczes and Samues might have been one of the subdivisions mentioned by Gonzalo de las Casas.

now left out of the Chichimeca taxonomy. Although before this meeting Spaniards and their Indian allies had branded various tribes as Chichimeca, this account of the war labeled those same tribes as separate entities, nations, and Christians.

The mixture of dates and events, of fable and fact, and the contradictions inherent in the history, show how towards the end of the war, the concept of the Chichimeca carried mythological attributes for many in the colony and the church. For the Spaniard and his allies, the idea of the "Chichimeca" did not disappear, and instead took a life of its own in their accounts. The Indians that had been responsible for raids and attacks on their neighbors, which Spaniards labeled Chichimecas, were no longer a part of this classification. The new Spanish narrative absolved northern tribes of crimes they had previously accused them of, and labeled those that Spanairds previously labeled Chichimeca, as allies. In Robles' skewed history, the natives that colonists previously labeled aggressors were the victims of attacks by the savage nomads of the north he called "common enemies of the human race."[131]

When the Third Mexican Provincial Council ended in September 14, 1584, the Viceroy Pedro Moya de Contreras was ready to draft a letter to King Phillip II with a formal opinion of the Chichimeca problem. Recognizing the absurdity of the claims presented, the Viceroy-Archbishop Moya de Contreras, who had been a staunch defender of the war against the Chichimecas within the church, declared the war unjust and immediately dispatched the letter to the King.[132] The letter was a scathing criticism of

[131] Ibid.
[132] Finding of the council: In the holy Mexican provincial council on the 31st of July of 1585, given the investigative report and the opinions of the orders and the consultants of the council, it is decreed through resolution and response that the order of St. Dominic, St. Francis, and the Company of Jesus, along with

the role played by miners, soldiers, their Indian allies, and the war as a whole. It was the Council's position that corruption and greed had led those responsible to "imaginary transgressions."

It was this idea of imaginary transgressions that led Moya de Contreras to resign his post as Viceroy, and stay in New Spain as a royal investigator at the request of the King. With the aid of his successor, Álvaro Manrique de Zúñiga, Moya de Contreras set out to prove the corruption that permeated the *audiencias* of the colony, and the soldiers that made their living in the frontiers. After Conteras' investigation, colonial officials successfully prosecuted and expulsed four judges of the *audiencia* of Mexico City in 1586, freed thousands of Indian slaves, and the war seemed to reach its end.[133]

Soon after, in February 18 1588, orders came from the Council of the Indies. Viceroy Manrique had waited for a response from Spain:

> … because it is of grave importance, the reduction and peace of the Chichimec Indians must not stop receiving our care. Since this war was handled erroneously in the past, like you said. […] what should be lamented the most is that we permitted the sale of Indians as slaves, while soldiers provided sinister

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Doctor Joan de Salzedo, they feel and sign, and so it shall be written to his majesty in the card that this holy council will write.

That it be written to his Majesty that since the expeditions of the Chichimecas into New Vizcaya, Kingdom of Leon and other parts of the Philippines and Island of the West, and the wars, in these lands are not justified nor are the instructions given by his majesty. He should order an investigation into this, and what he finds to be adequately Christian and saintly, be done, rigorously against those that might go against this.

[133] Moya Conteras did not immediately leave the colony and instead served as an investigator on behalf of the Council of the Indies. In 1586, a year after the Mexican Provincial Council concluded, his investigations into the illegal slavery of Indians in the mines of "La Gran Chichimeca" led to the prosecution of various captains and soldiers that had served during the war. See: Poole *op. cit.* Pg 207.

information to prove the Indians' wrongdoing. They did this in excess and for evil means. [134]

The Council also wrote, "In regards to the Indians that the soldiers sell as slaves, what you should do is not permit the sale of Indians of peace, nor those of war.[135] With these instructions, Manrique and the Viceroys that followed ceased to see war as the only option, and instead adopted policies of peaceful negotiation. The gold that they once invested in garrisons and weapons, they began to divert to projects aimed at assimilating the Chichimec. Indian allies that the Spaniards had relied on in their campaigns against the Chichimec, they now called upon to establish peaceful settlements among the natives.

Despite this peace, at the close of the century, the Chichimec was no longer the same Indian. In 1542, at the start of the Mixton Rebellion, the Caxcans lived 30 miles away from Mexico City. Yet in 1592, the Chichimec was 1000 miles away from the capitol. Another change happened when slavery took different names, and Spaniards stopped owning slaves. Instead, Spaniards held Indians in *deposito*, a system of wardship.

Conclusion

When Phillip II ascended to the throne in 1554, the American realities he fought were not those of a weak administrative infrastructure, but those created by the

[134] Encinas, D. d. (1596). *Provisiones, Cedulas, Capitulos de Ordenancas, Instruciones y Cartas.* Madrid: Imprenta real. 362. And CDIU IX. 243.
[135] Ibid.

overabundance of wealth that were held in the mountains of the Gran Chichimeca. Indian slavery did not end in 1542 with the New Laws, nor did it end in 1590, at the end of the Chichimec War. The colonizers and their descendants continued to subject specific native groups to captivity for hundreds of years, even after New Spain became Mexico. Because the Spaniard would always find the *barbaro*, or in this case *Chichimeca*, at the edge of the empire, slavery survived.

Viceroy Manrique accused a group of colonial residents of conducting a war under false pretenses and the perpetuation of war for profit and personal gain. The weakness of administration let specific parties acquired unwarranted influenced, and resulted in disastrous rise of misplaced power. Despite claims to the contrary, their propaganda and influence, created an enemy that the Crown had no choice but to strike down.

The Chichimec War's abrupt ending and Manrique's account of his time as Viceroy, question whether there ever really was a "war," or if it was a direct result of the misinformation and propaganda used by some colonials. Although evidence shows that the conflict and violence was real, there also exists proof of its embellishment. In 1591, Spaniards negotiated with ninety-six Tlaxcalan families to settle the town of San Esteban de la Nueva Tlaxcala in the northern-most periphery of the colony. Spaniards sent their allies so they could assimilate the Chichimeca into their town. When the Tlaxcalan Indians arrived, they did not find any threat, and their town thrived and exists to this day.[136]

[136]M., V. D. (Ed.). (1991). *San Esteban de la Nueva Tlaxcala: Documentos Para su Historia.* Coahuila:

Woven into the greater scheme of Spanish-Indian relations, the story of 16th century Indian slavery demonstrates the tremendous human cost of Spanish colonization in America. Indian and Spaniard alike had to decide whether they would hunt their enemies, neighbors, sometimes friends, and be willing to sell them, brand them, take them from their homes, and separate them from their families. This reality as it was lived by those in the colony, shaped the limits of ethical behavior for both native and colonizer, and perhaps made their experience unique and American. For the northern tribes, as well as the Indian allies of the Spaniards, the experience included an exposure to a new ideology of group identity and race that was not common before contact. The colonists' imposition of an ethnic identity and the violence that they brought with it, forced many of the nomads to adopt, create, or evolve their own ethnic groups, despite the existence of impediments such as languages and cultures.

The 16th century saw not only a war between the indigenous populations and the foreigners that sought to encroach on their land, it was also witness to a contest between the King and his subjects. While the Crown sought to impose policy where lawlessness prevailed, the subjects tried to circumvent it because of the realities and circumstances of the land. As the Viceroys implemented anti-slavery laws, those against such regulation found reasons for why it should not exist, and places in which they could maneuver around them. The establishment of central power in Mexico City pushed those that sought to profit from the captivity of the natives to the peripheries of the colony, where

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Consejo Editorial del Estado. Similarly, recent research on the Taqui Onkoy of Peru, a millenarian political and religious movement of the 16th century, showed that churchmen and business entrepreneurs, invented and exaggerate Indian rebellions, or similar movements, for the sake of fame and promotion. Estenssoro Fuchs, J. C., & Ramos, G. (2003). *Del Paganismo a la Santidad: La Incorporación de los Indios del Perú al Catolicismo, 1532-1750*. Lima: Pontificia Universidad Católica del Perú - Instituto Riva-Agüero.

they found riches in the form of silver and free labor. It was during the second half of the century, that those with vested interests in the continued conflict against the natives used the term Chichimeca to win the political battle in favor of slavery. They influenced the change in its meaning throughout the span of the war, making it amorphous, slowly evolving.

The adoption of a native word by an invader and their use and manipulation of the word, their infusion of definition, and classification through it, as a means to maintain and control the only venue left for the enslavement of natives is what is central to this story. The colonial war economy that Viceroy Manrique discovered upon arriving had grave consequences for a select few. To this day, scholars of various disciplines struggle with the few resources available to decipher who the "Chichimeca" were.[137] Some of the remaining "Chichimecas", the Chichimeca-Jonaz of Guanajuato, Mexico still live the consequences of the power the categorization took on in the 16th century, as they continue to wait for the Mexican government to identify them, and change their name to its true, pre-Colombian name, Úza.[138]

[137]In the Land of the Chichimecs? Christopher S. Beekman. Latin American Antiquity. Vol. 12, No. 1 (Mar. 2001) Pg 110-112. Society for American Archaeology.
[138] *Una Nueva Relación: Compromiso Con los Pueblos Indígenas.* (2005). Mexico D.F.: Comisión Nacional para el Desarrollo de los Pueblos Indígenas. Pg 53.

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